

Mapping The Old Burial Ground

State Street, Ellsworth, Hancock County, Maine

By V. Kelly Bellis



Mapping The Old Burial Ground

State Street, Ellsworth, Hancock County, Maine

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Preface

The subject property, *the Old Burial Ground*, began its use as a burial ground sometime prior to its formal creation through the conveyance as described in the operative deed from Melatiah Jordan to the Inhabitants of the Town of Ellsworth dated 11 September 1818 [Appendix D](#). Based upon the date of deaths inscribed on the *surviving* headstones found in 2024, we see that there were at least 6 deaths prior to that conveyance ranging from 1804 through 1817.

As the oldest public cemetery in Ellsworth, its cultural and historical importance has not always been seen with consistent regard over the years. Its most recent major rejuvenation last occurred starting in the 1970s through about 2005⁵, and before that in the spring of 1907 as mentioned by Herbert T. Silsby, II in his book, *A Church Has Been Gathered*¹³:

"The following spring (1907), Mr. Mathews began a campaign to clean up the burying ground next to the church given to the town by Melatiah Jordan. It had been neglected for many years. Trees, bushes, and in the summertime, tall grass grew between the headstones and monuments, all but reclaiming the burying ground to a state of nature. The situation was unsightly and shameful, complicated by the fact that responsibility was not easily fixed upon the city as many assumed the burying ground belonged to the church. Mr. Mathews' campaign got results; the burying ground was cleaned up and maintained during his time, but afterwards, again neglected and only recently (1962 or 2004) has

been more or less kept mowed by the city."

Little has been written regarding the general survival rates of headstones, though the subject did arise during this investigation along with other lingering questions. For example, the Old Burial Ground appears to have interments between 1804 and 1913. The first general question that I wondered about is why stop in 1913? Was the cemetery full or nearly full by then?

The next questions come after performing the aerial survey and the mapping of the headstones that have thus far survived. The grass color modalities alone suggest there are many more graves than there are headstones. How many rotted wooden crosses or other markers were never replaced with stone? How many stone markers have gravity and time mired from view?



Helen Shaw, who is on the board of the Maine State Cemetery Preservation Commission, commented in her testimony¹² in 2021 before the Maine Legislature Sub-committee on State and Local Government related to S.P. 167 - L.D. 379, that:


"Grave markers can be a pronouncement of economic and social status of the deceased as well as the community."

Today, 27 May 2024, Memorial Day, I can't help but wonder what Melatiah Jordan might think about the *absence* of grave markers in the Old Burial Ground.

V. Kelly Bellis



Mapping the Old Burial Ground



State Plane (Maine CS2000 Central) /
NAD83 (NSRS2011) / U.S. Ft.
GRID NORTH

Mapped Sequence Overview

Sequence numbers generally represent individual mapped headstone features rather than individual graves. One headstone may memorialize multiple individuals. Refer to the section entitled [Sequence & Transcriptions](#) for details.

Sequence
start

Sequence
end

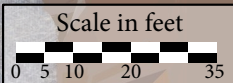
Photo page & direction

p1
p16
p17
p21
p32
p36

S
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The Old
Burial Ground



Mapping the Old Burial Ground

The mapping of the City of Ellsworth's [Appendix D](#) Old Burial Ground began by placing (3) photo control points across the subject area and then surveying these ground control points using survey grade GNSS receivers. The GNSS observation data was then processed tied to the National Spatial Reference System (NSRS), NAD83(2011), Epoch 2010.0000, and projected to Maine 2000 State Plane Coordinate System, Central Zone, NAVD88, Geoid18B, units U.S. Survey feet.

Next, 193 aerial images, flown at 35 meters above ground, were processed using structure from motion (SfM) processing techniques to produce a 3D model which was then textured and colored. An orthometric *true projection* was then exported and later brought into AutoCAD, and used as a background image for the drawing. Grave symbols were placed on what appeared to be headstones before heading into the field with the drawing.

In the field, Dorothy Foster Vachon and V. Kelly Bellis began systematically *sequencing* (abbreviated as *Seq.* in the spreadsheet), starting at the northwesternmost headstone, labeling it 1 and then continued the labeling proceeding southerly in the north-south oriented column of markers, 2, 3, etc., all the while recording the respective names and dates carved into the stones. The manner and term *sequencing* was chosen in order to be consistent with both the manner and the terminology used by the Maine Old Cemetery Association (MOCA). Concurrent with this mapping effort, Dorothy Foster Vachon was also updating the data on the Find-a-Grave website whenever possible.

This became an iterative process. Most of the symbols that had been placed on the drawing landed on legitimate headstones; however, some symbols on the drawing were first placed on what turned out to be footstones which we did not map. There were also some headstones that were initially overlooked due to the obstructions in the photos due to tree limbs and branches. These additional headstones were then subsequently mapped to the drawing. Also, some headstones were broken or missing, but their bases were identifiable and accordingly were mapped.

The accompanying transcription spreadsheet is more or less predicated on the Maine Old Cemetery Association (MOCA) transcription template which I modified to include Find-a-Grave memorial ID numbers, and a couple of other items used for cross-checking. I then created hyperlinks, wherever possible, to those Find-a-Grave memorials which can be directly accessed online.

Dorothy Foster Vachon has created and managed many of those entries on the Find-a-Grave website for this cemetery and several other cemeteries. Throughout this process, Dorothy Foster Vachon has updated the transcriptions for those memorials

which she herself has created on Find-a-Grave, as well as suggesting edits to the manager(s) of other Find-a-Grave memorials. Still, caution is always advised when using Find-a-Grave data given the nature of it being crowd-sourced.

The transcription spreadsheet for the Old Burial Ground includes the column headed BHM, abbreviated for *Bangor Historical Magazine*. The records that we collected during March 2024 were cross-checked with the inscriptions as they appeared in the Bangor Historical Magazine, specifically 1) Volume 3, page 38¹; and 2) Volume 6, page 262². Not all of the headstones' inscriptions were recorded and published in the late 19th-century magazine; however, it still is interesting to compare what they had published and what we found in March 2024.

THE BANGOR Historical Magazine.

VOLUME III.

July, 1887, ---June, 1888.

Page 38

Inscriptions from Gravestones.

INSCRIPTIONS FROM GRAVE STONES IN THE OLD BURYING GROUND AT ELLSWORTH.

~ = Stone found and mapped in March 2024

~! = listed data differs from stone

~nf = Stone not found in 2024

~ Col. Melatiah Jordan, died Dec. 22-23, 1818, aged 64.

~ Widow Elizabeth Jordan, died Feb. 22, 1819, aged 62.

~ Benjamin Jordan, died July 21, 1860, aged 79.

~ Doctor Moses Adams, died Dec. 11, 1839, aged 63.

~ George Herbert, 1778-1820.

~ Wife Charlotte Herbert, 1782-1869.

~ Elizabeth, wife of Major John Jellison, died Feb. 25, 1830, aged 69 years, 2 mos., 15 days.

~! Elizabeth J., wife of Jesse S. Jellison died Dec. 15, 1850, aged 41.

~ Mary Tenney, wife of Geo. W. Brown, Esq., died Feb. 22, 1852, aged 31.

~ Mrs. Eleanor Hodges, died Oct. 30, 1842, aged 75 years, 7 mos.

~ Thomas Robinson, died July, 1858, aged 57.

~ Wife Eliza A., born June 27, 1809; died Sept. 13, 1849.

~nf Sarah E., wife of Robert Long, died Sept. 11, 1832, aged 27.

~ Phebe, wife of Col. Jesse Dutton, died July 27, 1837, aged 69.

~nf Joshua W. Hathaway, born Nov. 10, 1797; died June 6, 1862.

~nf Wife Mary Anne, born Dec. 15, 1800; died Aug. 20, 1874.

~ John Chamberlain, died Dec. 13, 1839, aged 59.

~ Wife Mary, died Feb. 16, 1840, aged 51.

~nf Capt. Edwin Lord, born July 25, 1818; died Feb. 24, 1850.

~! Almira, his wife, daughter of D. T. Hinckley, of Orford, N. H., died Jan. 6, 1845, aged 27.

~ Caroline, wife of Henry N. Moore, died July 11, 1834, aged 32.

~ Susan, wife of Thomas Haines, died Feb. 28, 1862, aged 60.

~ Joseph Milliken, died Jan. 26, 1850, aged 84.

~ Robert Hamilton, died Sept. 22, 1847, aged 40.

~ Jane, wife of Joseph Alexander, died May 17, 1837, aged 38.

THE BANGOR Historical Magazine.

VOLUME VI.

July, 1890, ---June, 1891.

Page 262 Inscriptions from Gravestones in Burying Ground Ellsworth.

INSCRIPTIONS FROM GRAVE STONES IN OLD BURYING GROUND IN ELLSWORTH.

~ = Stone found and mapped in March 2024

~! = listed data differs from stone

~nf = Stone not found in 2024

CONTINUED From page 38, vol. 3.

~ John B. Sawyer died Oct. 21, 1833, aged 23.

~ Mrs. Abigail, wife of Porter Sawyer, died May 31, 1829, aged 60.

~ Elizabeth A. Tyler, daughter of Moses and Elizabeth Tyler, died Aug. 7, 1807, aged 1 year, 6 months, 19 days.

~nf Sarah Eliza, wife of Robert Long and daughter of John S. Little of Boston, died Sept. 11, 1832, aged 27.

~ Col. Jesse Dutton, died June 9, 1842, aged 80.

~ Wife Phebe Dutton, died July 27, 1837 aged 69.

~ Donald Ross died Nov. 23, 1804, aged 45.

~ Mercy, wife of Capt. Samuel Hovey, died Aug. 11, 1849, aged 90.

~ Mrs. Alice, relict, of late Philip Leach of Vassalboro. She born in Exeter, N. H., and died at Ellsworth, May 29, 1840, aged 74.

~ Mrs. Mary L., wife of Moses Adams, Esquire, died May 12, 1815, aged 39.

~ Abigail R., wife of Capt. Elias Lord, died May 20, 1830, aged 36.

~ Major John Jellison died Feb. 23, 1850, aged 89 years, 1 month and 10 days.

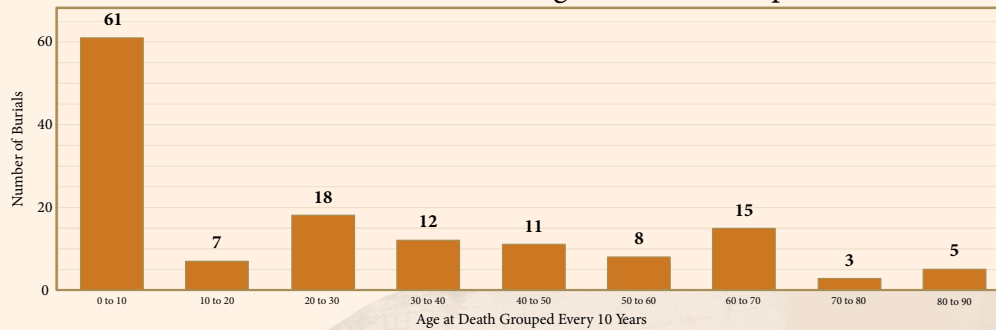
~ Wife Elizabeth Jellison, died Feb. 25, 1830, aged 69 years, 2 months, 15 days.

~! Mrs. Reliance Hodges died Oct. 30, 1842, aged 75 years and 7 months.

~nf Jane, wife of James Turner, died June 5, 1842, aged 66 years.

* This ancient cemetery is fast going to decay. Many remains have been removed to the new cemetery. Some of the founders of the city lie there still.

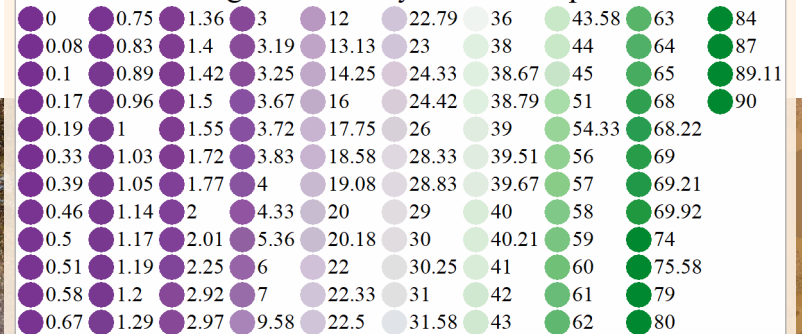
Old Burial Ground - Age at Death Groups



Out of the 165 headstones found in March 2024, among them were 140 that had a discernible age at the time of death including the extrinsic age at death for Captain Edwin Lord¹. Instances where a single stone for multiple individuals contained multiple ages at death, the first value given was used for this histogram.

¹ Bangor Historical Magazine, Volume 3, page 38

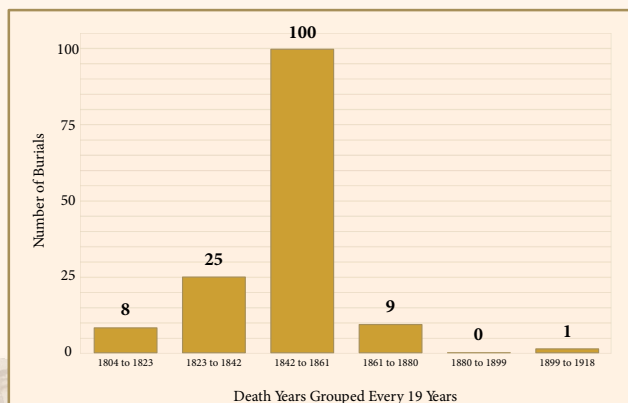
Age at Death by Color Groups



Out of the 165 headstones found in March 2024, among them were 140 that had a discernible age at the time of death including the extrinsic age at death for Captain Edwin Lord. Instances where a single stone for multiple individuals contained multiple ages at death, the first value given was used for this map. The 25 headstones without death year are shown with only their sequence number and without a color swatch.



Old Burial Ground - Death Year Groups



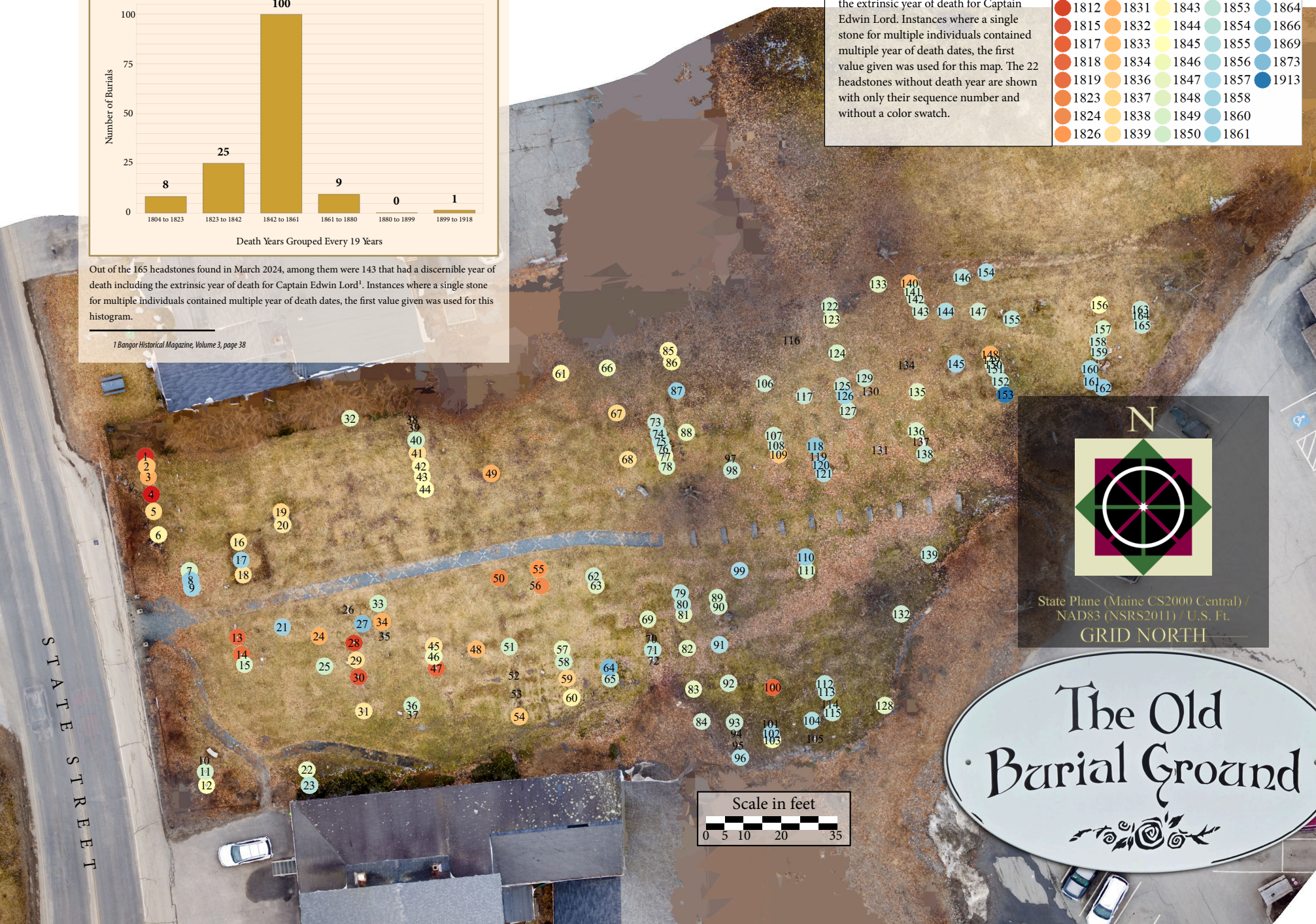
Out of the 165 headstones found in March 2024, among them were 143 that had a discernible year of death including the extrinsic year of death for Captain Edwin Lord¹. Instances where a single stone for multiple individuals contained multiple year of death dates, the first value given was used for this histogram.

¹ Bangor Historical Magazine, Volume 3, page 38

Out of the 165 headstones found in March 2024, among them were 143 that had a discernible year of death including the extrinsic year of death for Captain Edwin Lord. Instances where a single stone for multiple individuals contained multiple year of death dates, the first value given was used for this map. The 22 headstones without death year are shown with only their sequence number and without a color swatch.

Death Year by Color Groups

1804	1829	1840	1851	1862
1807	1830	1842	1852	1863
1812	1831	1843	1853	1864
1815	1832	1844	1854	1866
1817	1833	1845	1855	1869
1818	1834	1846	1856	1873
1819	1836	1847	1857	1913
1823	1837	1848	1858	
1824	1838	1849	1860	
1826	1839	1850	1861	

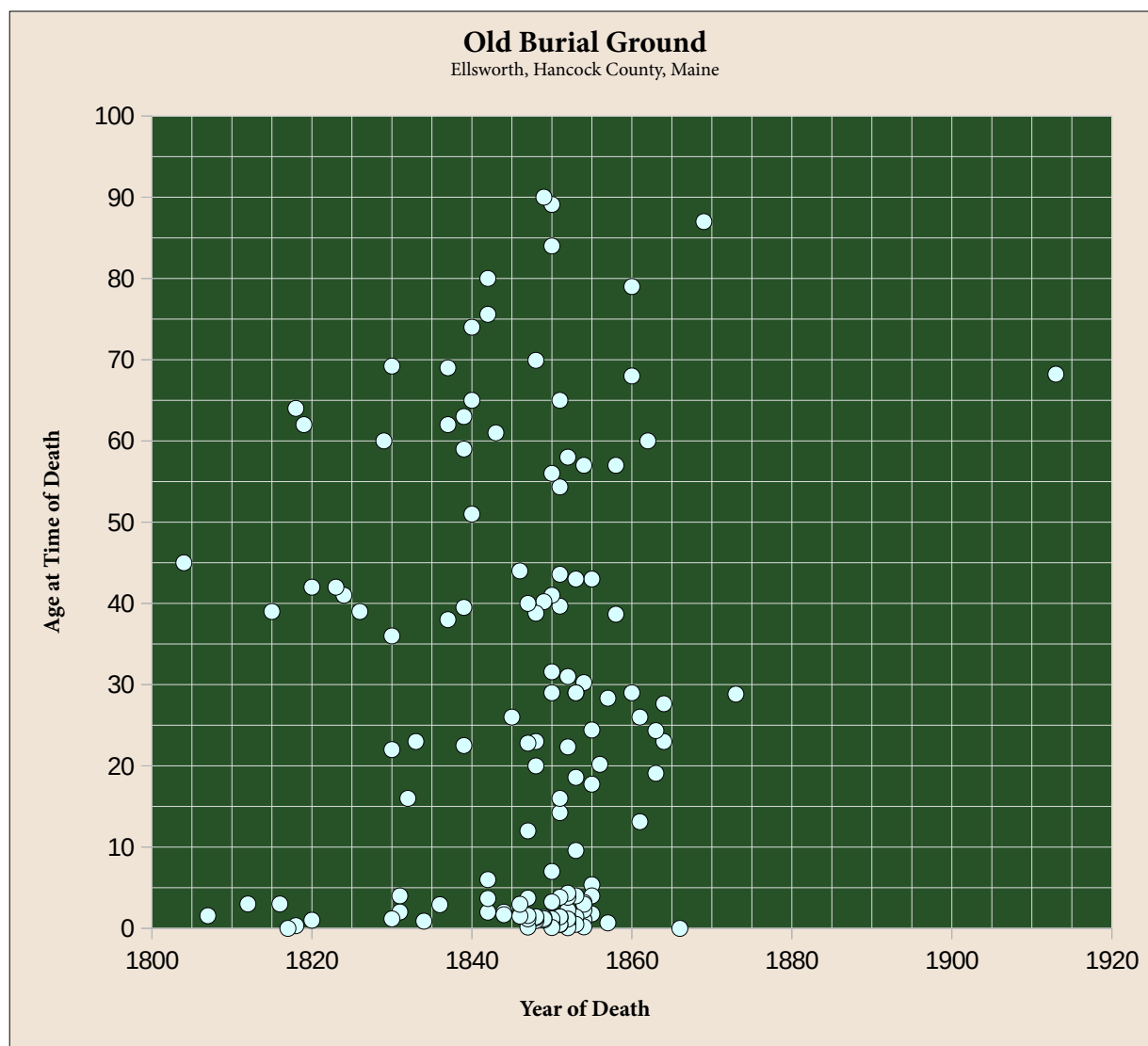


In addition to the names and dates listed in the two Bangor Historical Magazine issues that I used for cross-checking, I also discovered that there had been a transcription of the Old Burial Ground completed in 1980 & 1981 for MOCA by an unnamed person(s)³. For reasons that remain unclear, that effort had not been listed on the MOCA website before beginning this mapping project and contributed to the reasons for the work that Dottie and I did in March 2024. This 1980-1981 MOCA transcription, the copyright holder of which I had incorrectly presumed was MOCA, apparently remains held by Picton Press even if they have gone out of business years ago and the owner has deceased⁴. The transcription spreadsheet for the Old Burial Ground includes the column headed MH307, an abbreviation for the 1980-1981 MOCA data that was cross-checked with the data gathered in 2024.

The last resource used for cross-checking comes from sometime around 2005 and the publication compiled by Mark Honey⁵. Though his article didn't include any maps, he does describe to some degree the spatial relationship of rows left (north) and right (south) of the bisecting gravel path running running in a generally east-west direction. Based on his accounting, it seems that the work done in 2024 found the same headstones, though a few of their positions differ from their described locations in 2005.

Unsubstantiated Rumors of Transferred Remains

Through the course of this investigation of the Old Burial Ground, I have found echoes of rumors and suggestions that folks once buried here have had their remains removed and interred elsewhere. Woodbine Cemetery, first developed in 1859, is often brought up as one likely spot; however, after extensive deed research, reviewing other records, interviews with funeral directors, local memorial stone fabricators, and local historians, no evidence was found supporting the illogical idea that *many remains have been removed*.



While it is possible that human remains were dug up and removed out from the Old Burial Ground at some earlier time, I found no evidence of it. No doubt fueling the speculation and rumors, is the obvious absence of headstones, unchecked imaginations, and the multiple consuming fires⁶ that claimed Ellsworth's town⁷ records, and then later its city⁸ records.

In published articles appearing from the late 19th century into the 21st where these rumors can be found, inevitably within a nearby paragraph or two, will be mention of the dilapidated state of the cemetery after many years of neglect. The absence of headstones might more logically be explained by any number of factors including neglect, vandalism, and gravity.

• **This ancient cemetery is fast going to decay. Many remains have been removed to the new cemetery. Some of the founders of the city lie there still.**

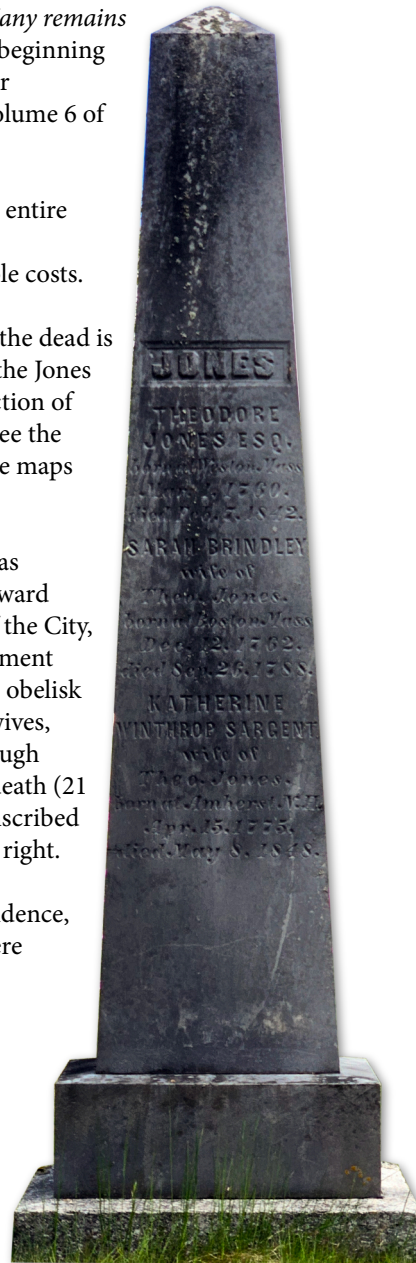
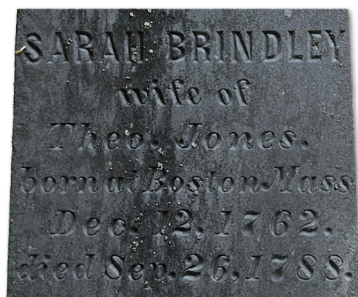
Unfortunately, who ever started these rumors of “*Many remains have been removed to the new cemetery*”, apparently beginning in May of 1891, neither identified their source(s) nor themselves when they first wrote this sentence in Volume 6 of the Bangor Historical Magazine.

The idea of exhumation of just one body, or even an entire burial ground, is generally only considered under extraordinary circumstances, along with considerable costs.

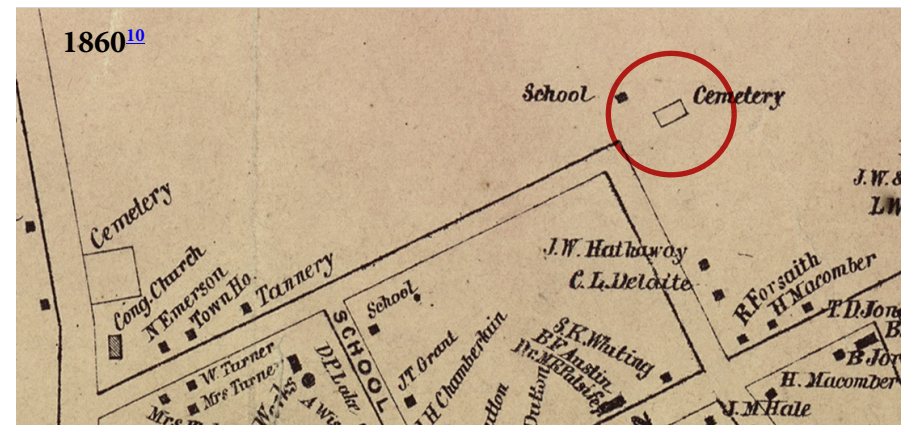
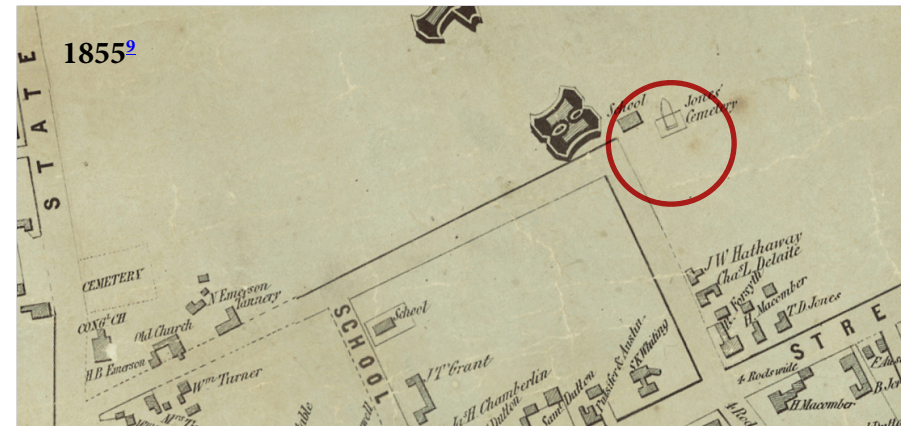
Most often the reason for disturbing the remains of the dead is because of land development. Such is the case with the Jones Family Cemetery, formerly located near the intersection of Oak and Church Streets. Here, to the far right, we see the location of the former Jones Family Cemetery on the maps from 1855 and 1860.

Sometime between 1860 and 1875, Church Street was extended easterly. Going east on Main Street, out toward Washington Junction, and near the eastern limits of the City, is where Woodbine Cemetery is located. Its development began in August 1859 and is where today we see the obelisk memorial for Theodore Jones, his first and second wives, and 2 children, all of whom died between 1788 through 1848. Another daughter's birth (22 Oct. 1812) and death (21 May 1871) dates, of Lucy Saunders Jones, are also inscribed on this stone monument, shown in the photo to the right.

Based upon these bits of information and record evidence, it's logical to think that the Jones Family remains were transferred to Woodbine Cemetery.



Photos by V. Kelly Bellis taken 20 May 2024.



The Old Burial Ground - Sequence & Transcriptions

State Street, Ellsworth, Hancock County, Maine - Owner of Record: City of Ellsworth - Date of Transcriptions: Spring 2024

Seq	Last	First/Maiden	BD	BM	BY	DD	DM	DY	(y m d)	Notes	MH307	BHM	Find a Grave ID	y.yy
1	Tyler	Elizabeth A.				7	Aug	1807	1y 6m 19d	In memory of Elizabeth A. Tyler daughter of Mr. Joseph and Mrs. Elizabeth Tyler.	3	2	230526303	1.55
2	Sawyer	John P.				21	Oct	1833	23y		3	2	218852949	23
3	Sawyer, Mrs.	Abigail [Lord]				3	May	1829	60y	Wife of Mr. Porter Sawyer Find-a-Grave maiden [name] reference	3	2	151644441	60
4	Ross	Donald				23	Nov	1804	45y		3	2	151644467	45
5	Dutton	Phebe [Murch]				27	Jul	1837	69y	Find-a-Grave maiden [name] reference, Sacred to the memory of Phebe Dutton, wife of Col. Jesse Dutton, who died June 9, 1842, aged sixty nine.	3	1	151644514	69
6	Dutton, Col.	Jesse				9	Jun	1842	80y	Sacred to the memory of Col. Jesse Dutton who died June 9, 1842, aged eighty.	3	2	151644530	80
7	Robinson	Eliza Ann [Chamberlain]	27	Jun	1809	12	Sep	1849		wife of Thomas Robinson Find-a-Grave maiden [name] reference	3	1	116209781	40.21
8	Robinson	Frances A.					Mar	1864	23y	see eastern face of headstone for dates and inscription, Daughter of Thomas and Eliza A. Robinson	3		116209829	23
9	Robinson	Thomas J.					Jul	1858	57y		3	1	116209756	57
10	French	Zetham								3 names only on single headstone; no dates	4		218975785	
10	French	Daniel								3 names only on single headstone; no dates	4		218975818	
10	French	Dolly R.								3 names only on single headstone; no dates	4		218975840	
11	Lord, Capt.	Edwin	25	Jul	1818	24	Feb	1850		Broken headstone, base only; foot stone with initials E. L.; birth and death dates from Bangor Historical Magazine	4	1	218976026	31.58
12	Lord	Alma B. [Hinkley]				6	Jan	1845	27y	Alma B., Wife of Capt. Edwin Lord, And daughter of D.F. And R.B. Hincley, Late of Oxford N.H. died Jan. 6, 1845, AE. 27.	3	1	218987852	27
12	Lord	Arthur E.								2 sets of initials on a single footstone; A.B.L. A.E.L. (no dates)	3		218975905	
13	Jordan	Melatihah				22	Dec	1818	64y	Sacred to the memory of Melatihah Jordan, Esq., Collector of the custom for the district of Frenchmans Bay	3	1	60420107	64
14	Jordan, Mrs.	Elizabeth [Jellison]				22	Feb	1819	62y	Sacred to the memory of Mrs. Elizabeth Jordan. Relict of the late Melatihah Jordan, Esq.	3	1	60419858	62
15	Hovey, Mrs.	Mercy				11	Aug	1849	90y	Wife of Capt. Sam'l Hovey	3	2	116209735	90
16	Chamberlain	Mary [Hopkins]				16	Feb	1840	51y	Find-a-Grave maiden [name] reference Wife of John Chamberlain.	3	1	116209849	51
17	Chamberlain	Caroline				18	Nov	1860	29y	Daughter of John and Mary Chamberlain.	3		116209871	29
18	Chamberlain	John				13	Dec	1839	59y		3	1	116209902	59
19	Nourse	Mary [Burnham]				25	Nov	1837	62y		3		151644620	62
20	Nourse, Rev.	Peter				25	Mar	1840	65y	Rev Peter Nourse, First settler minister, in Ellsworth	3		151644598	65
21	Jordan	Benjamin				21	Jul	1860	79y		3	1	116209409	79
22	Whiting	Catharine W. S.				19	Sep	1847	22y 9m 16d	Wife of Samuel K. Whiting.	3		116209373	22.79
23	Whiting	Thomas Jefferson				16	Mar	1854	57y		3		151643989	57
24	Lord	Abigail R.				20	May	1830	36y	wife of Capt. Elias Lord	3	2	151644013	36
25	Lord, Capt.	Charles				22	Jul	1850	29y	Capt.	3		116209247	29
26	Herbert									This stone repeats some of the information for George Herbert, Esq., and William Herbert that's shown on neighboring stones.	3			
27	Abbott	William								On east face of stone, beneath Herbert children: William, Son of William and Rebecca Abbott of Castine. Rests here with the Children of their friends.	5		266400055	
27	Herbert	Charlotte [Tuttle]			1782			1869		2 names on single headstone, west face; George Herbert, 1778 - 1820; Charlotte, His Wife. 1782 - 1869. The memory of the just is blessed. Find-a-Grave maiden [name] reference	3	1	116209086	87

Seq	Last	First/Maiden	BD	BM	BY	DD	DM	DY	(y m d)	Notes	MH307	BHM	Find a Grave ID	y.yy
27	Herbert	George			1778			1820		2 names on single headstone, west face; George Herbert, 1778 - 1820; Charlotte, His Wife. 1782 - 1869. The memory of the just is blessed. Find-a-Grave maiden [name] reference	3	1	116209074	42
28	Herbert	George			1809			1812		3 names on single headstone; Sons of George & Charlotte Herbert; George, 1809-1812 George, 1813-1816; William, 1819-1820; William, Son of William & Rebecca Abbott of Castine. Additionally, there is a second stone with similar information.	3		116222363	3
28	Herbert	George			1813			1816		3 names on single headstone; Sons of George & Charlotte Herbert; George, 1809-1812 George, 1813-1816; William, 1819-1820; William, Son of William & Rebecca Abbott of Castine. Additionally, there is a second stone with similar information.	3		116222430	3
28	Herbert	William			1819			1820		3 names on single headstone; Sons of George & Charlotte Herbert; George, 1809-1812 George, 1813-1816; William, 1819-1820; William, Son of William & Rebecca Abbott of Castine. Additionally, there is a second stone with similar information.	3		116222448	1
29	Adams, Dr.	Moses				11	Dec	1839	63y		3	1	116209149	63
30	Adams	Mary Lawrence [Tuttle]				12	May	1815	39y	Find-a-Grave maiden [name] reference Wife of Moses Adams, Esq.	3	2	151643862	39
31	Leach, Mrs.	Alice				29	May	1840	74y	relict of the late Philip Leach of Vassalboto, was born in Exeter NH and died in Ellsworth	3	2	116209334	74
32	Blood	Rebecca [Dyer]				3	Jun	1848	38y 9m 14d	Find-a-Grave maiden [name] reference	3		151644664	38.79
33	Jellison, Maj.	John				23	Feb	1850	89y 1m 10d		3	2	116209126	89.11
34	Jellison	Elizabeth [Milliken]				25	Feb	1830	69y 2 m 15d	Find-a-Grave maiden [name] reference; Wife of Maj. John Jellison	3	1	225829191	69.21
35	Unknown									Stone appears perfectly intact but with no names no dates; very unusual				
36	Sargent					8	Sep	1850	5wks	Given name is illegible but possibly Fullerton or Everett; son of Amasa and A.B. Sargent died Sept 8, 1850 AE. 5 weeks	5		267106226	0.1
37	Sargent	Willard [P. ?]					Jul			Willard [P. ?] son of Amasa and A.B. Sargent died Ju 184_	5		267106207	
38	Unknown									Only 2 sets of initials; S.E.L. & C.L.				
39	Means	Clara									3		151644826	
40	Means	Frederic A.				13	Nov	1850	9m	only child of Frederic S. & Caroline Means	3		116209930	0.75
41	Rider, Mrs.	Asenath [Means]				24	Nov	1838	28y	wife of Rev. Wilson C. Rider; added age from MH307; Find-a-Grave maiden [name] reference	3		151644815	28
42	Means	Lydia C.				22	Jan	1843	30y	Wife of Capt. Mathew Means Find-a-Grave maiden [name] reference	3		151644786	61
43	Means	Lydia				22	Jul	1843	61y	1 person on 2 headstones side by side, Wife of Capt. Mathew Means Find-a-Grave maiden [name] reference	3		151644740	61
44	Means	Harriet A.				10	Jul	1845	26y	dau. Of Mathew & Lydia Means	3		151644763	26
45	Jellison	Jesse L.	18	Aug	1799	20	Feb	1839			3		116208978	39.51
46	Jellison	Elizabeth J.				5	Sep	1846	44y	wife of Jesse E. Jellison.	3	1	116209019	44
47	Sheafe	Charles H.				19	Dec	1818	4m	Charles H., son of Wm. and Lucy [?]? Sheafe, Died Dec. 19, 1848, AE. 4 mos.	3		238902881	0.33
48	Joy	Isaac Green				2	Mar	1832	16y	Son of Benjamin and Abigail (Green) Joy.	3		116208959	16
49	Obear	Lewis				29	Jul	1830	22y	Sacred to the memory of Mr. Lewis Obear son of Mr. Nicholas Obear of Sedgewick	3		116209966	22
50	Tinker, Jr.	John				9	Apr	1823	42y	And be it so, nor will we grieve, that life returns to him gave; 'Tis ours to hope, submit, believe, and fix our view beyond the grave.	3		116208631	42
51	Morgan	Francis B.				4	Sep	1850	56y		3		151616396	56
52	Morgan	Serena	14	Jul	1815					wife of Francis B. Morgan	3		151616420	
53	Unknown									headstone fragment; no name, no date				
53	Unknown									fragment				

Seq	Last	First/Maiden	BD	BM	BY	DD	DM	DY	(y m d)	Notes	MH307	BHM	Find a Grave ID	y.yy
54	Moore	Caroline				11	Jan	1834		wife of Henry N. Moore; A Final Tribute to the memory of Caroline	3	1	116208678	
55	Fisk	James C.				30	Apr	1826	39y	In memory of James C. Fisk	3		116208519	39
56	Fisk	Rebecca [Gage]				14	Sep	1824	41y	Sacred to the memory of Mrs. Rebecca, wife of Mr. James C. Fisk who was born in Bradford Mass. & dies in this town Her ways were pleasant while below, Her paths were peace and virtue tow, We trust she's now in glory bright, Where she's enjoying pure delight. Find-a-Grave maiden [name] reference	3		116208590	41
57	Crabtree	Sarah L.				9	Sep	1847	2m	Dau. J. D. & Cerlinda Crabtree	3		151642194	0.17
58	Crabtree	Cerlinda [Hodgkins]				15	Jun	1850	41y	Find-a-Grave maiden [name] reference Wife of John D. Crabtree.	3		116208499	41
59	Milliken	Napolon B.				19	Jul	1836	2y 11m	son of Thomas & Sarah Milliken	3		151618053	2.92
60	Hodges, Mrs.	Eleanor [Cobb]				30	Oct	1842	75y 7m	Find-a-Grave maiden [name] reference	3	1	151616441	75.58
61	Eldridge	George B.				4	Apr	1842	2y	son of Daniel T. & Sarah M. Eldridge So fades the lovely blooming flower Frail smiling solace of an hour	3		151645300	2
62	Thurber	Mary [Winchester]				18	Mar	1851	43y 7m	wife of Capt. Benj. Thurber	3		151642288	43.58
63	Thurber, Capt.	Benjamin				24	Aug	1848	69y 11m		3		151642303	69.92
64	Brown, USN	George W.				30	Jul	1873	28y 10m	Wife of Edward P. Blood	3		116208479	28.83
65	Brown	Mary [Tenney]				22	Feb	1852	31y	Wife of George W. Brown, Esq.	3	1	116208425	31
66	Abram	Mary Jane				2	Apr	1846	18m	3 names on single headstone; one of three commemorated children on this stone, Stone is for three children, William James, Mary Jane and Wm. James 2nd. Mary Jane was 18 months old. Parents are John and Elizabeth Abram.	3		219239918	1.5
66	Abram, 1st	William James				2	Dec	1844	1y 8m 5d	3 names on single headstone; Find-a-Grave has a photo of headstone, but difficult to reliably determine dates	3		169036758	1.68
66	Abram, 2nd	William James				21	Jan	1847	19m	3 names on single headstone; Wm. James 2d is on bottom of same stone with brother and sister, parents are John and Elizabeth Abram. Date of death and age from Faylene Hutton Cemetery Collection.	3		268548670	1.58
67	Alexander	Jane				17	May	1837	38y	Jane, wife of Joseph Alexander, Died May 17, 1837 Age: 38 years	3	1	267124883	38
68	Abbot	Charlotte [Lord]				4	Jul	1839	22y 6m	Find-a-Grave maiden [name] reference Wife of W.A. Abbot	3		151662871	22.5
69	Straw	Lester E.				4	May	1848	20y	Son of Jacob & Weltha H. Straw	3		151616533	20
70	Straw	Chester T.								dates aren't visible on headstone; Son of Jacob & Weltha H. Straw	3		151616501	
71	Straw	Weltha				23	Aug	1853		wife of Jacob Straw	3		116208395	
72	Unknown									fragment with base; possibly Hiram F. Straw?				
73	Blaisdell	Abby M.				14	May	1852	4y 4m	new photo needed	3		169037173	4.33
74	Edwards	Asa W.				22	Oct	1854	12m	Find-a-Grave death date reference, Common headstone with Nancy A. Children of Asa & Nancy Edwards.	3		151663210	1
74	Edwards	Nancy A.				21	Sep	1854	11m	Common headstone with Asa W. Children of Asa & Nancy Edwards.	3		151663198	0.92
75	Wooster	George Summers				17	Nov	1854	2y 11m 21d	son of D. & L.C. Wooster	3		151663297	2.97
76	Wooster	Watson W.				22	Oct	1851	17m	son of Daniel & Louisa C. Wooster	3		151663312	1.42
77	Wooster	Helen A.				25	Aug	1846	2y 11m 19d	dau of Daniel & Louisa Wooster	3		151663323	2.97
78	Wooster	Oscar M.				10	Apr	1849	14m 8d	son of Daniel & Louisa Wooster	3		151663332	1.19
79	Orcutt	Thomas J.				30	Jan	1854	30y 3m		3		116208266	30.25
80	Orcutt	William B.				3	Jun	1854	2y 3m	Son of Thomas J. and Sarah Orcutt.	3		116208300	2.25
81	Orcutt	John B.				11	Aug	1848	1y 5m 3d	Son of Thomas J. and Sarah Orcutt.	3		116208363	1.42
82	Provoise	Abby S.				17	Jun	1848	23y	wife of Henry Provoise	3		151642409	23
83	Thurston	Abba				9	Jul	1847	12y	dau of James & Hannah Thurston	3		151642427	12
84	Royal	Warren S.				10	Oct	1851	5m 15d	son of John & Mary Royal	3		151643467	0.46

Seq	Last	First/Maiden	BD	BM	BY	DD	DM	DY	(y m d)	Notes	MH307	BHM	Find a Grave ID	y.yy
85	Frazier	Joseph H.				21	Feb	1842	3y 8m	son of Isaac & Eliza Ann Frazier So fades the lovely blooming flower.	3		151617516	3.67
86	Frazier	Obera Jane				22	Mar	1842	6y	dau. of Isaac & Eliza Ann Frazier, Suffer little children to come unto me, and forbid them not, for such is the kingdom of heaven	3		151617495	6
87	Crabtree	Annie A. [Stevens]				4	Oct	1861	26y	Find-a-Grave maiden [name] reference Wife of Dr. A.D. Crabtree	3		151617450	26
88	Hamilton	Robert				22	Sep	1847	40y	rest in peace	3	1	151617426	40
89	Packard	James				2	Jul	1850	14m	son of Miles & Eunice Packard	3		151643526	1.17
90	Packard	Leah						1850	3y 3m	Dau of Miles & Eunice Packard	3		151643544	3.25
91	Chapman	Caroline A.				17	Jul	1855	24y 5m	Wife of Reuben Chapman	5		151616574	24.42
92	Simpson	Jane				26	Jun	1851	54y 4m	wife of John Simpson	3		151616604	54.33
93	Reynolds	Izenia D.				15	Oct	1852	3y 10m	dau of N.C. & A. D. Reynolds	3		151616655	3.83
94	Follett	Pamelia M. [Smith]								Stone broken, poor condition; MH307: Mrs. Pamelia M. wife of Jefferson B. d. Dec. 26, 18??	3		151643502	0
95	Unknown									broken pieces				
96	Douglass	Sarah E.				19	May	1855	17y 9m	Dau. of John and Sarah Douglass	3		109037286	17.75
97	Osgood	Ann L.								new photo needed	3		151663443	0
98	Osgood	Elmira				13	Aug	1852	22y 4m	wife of Joseph W. Osgood	3		151250907	22.33
99	Perry	Agnes Mary				8	Mar	1857	8m 3d	Dau of Parker W. and Alvonla D.	3		218517521	0.67
100	Jellison	Ruth A.				12	Jul	1817		wife of Joseph Jellison	3		218718104	0
101	Maddocks	Hannah								2 names on a single headstone, Daughters of Benjamin & Sally Maddocks (no dates)	3		116208218	
101	Maddocks	Mary								2 names on a single headstone, Daughters of Benjamin & Sally Maddocks (no dates)	3		116208239	
102	Maddocks	Benjamin D.				6	Apr	1860	68y	companion foundation with Sally	3		116208071	68
103	Maddocks	Sally D. [Wright]				26	Jan	1846	44y	companion foundation with Benjamin; Find-a-Grave maiden [name] reference	3		116208048	44
104	Dresser	George L.				19	Feb	1855	5y 4m 10d	Son of Benj. L. Dresser	3		218850718	5.36
105	Murch	Elmenia T.				26	Oct	1859	25y 5m 24d	Data from MH307; Elmenia T., Wife of Capt. John L. Murch	3		169038220	25.48
106	Torrey	George A.				7	Nov	1851	6m 3d	son of Stephen & Mary P. Torrey	3		151663615	0.51
107	Young	Mary				2	Apr	1851	65y	wife of (?) Young	3		151617365	65
108	Edwards	Albion B.				14	Sep	1852	2y 3m	son of Asa & Nancy W.	3		151617392	2.25
109	Edwards	Nicholas T.				16	Jul	1834	10m 20d	Son of Asa & Nancy W. Edwards	3		151645573	0.89
110	Haines	Susan				28	Feb	1862	60y	Our mother. Wife of Thomas Haines	3	1	109037240	60
111	Milliken	Joseph				26	Jan	1850	84y		3	1	116208025	84
112	Lynch	Louisa N.				18	Nov	1854	3y 2m 10d	dau. of John & Abby Lynch	5		151643690	3.19
113	Lynch	Abby R.				14	Nov	1854	1y 20d	dau. of John & Abby Lynch	5		218511979	1.05
114	Vye	Mary E. [Buckley]								Mary E. Dau. of Charles and Matilda J Vye (Vie on 1860 Ellsworth Census)	5		268340649	
115	Murch	Henry L.				21	Dec	1853		son of John L. & Elmenia Murch	5		218512197	
116	Glidden	Frederick T.									3		151647164	
117	Couillard	Edwin Francis				6	Aug	1852	7m	Son of Elijah & Lydia J. Couillard	3		151647212	0.58
118	Buckley	Horace				4	Apr	1866		Son of Dennis & Ann Buckley	3		151617277	0
119	Unknown									base only; headstone broken off				
120	Grindell	Mary E. [Buckley]				6	Apr	1863	24y 4m	Wife of I. M. Grindell	3		151617310	24.33
121	Buckley	Dennis				22	Jan	1855	43y		3		151617339	43
122	Plummer	George H.				6	Sep	1850	7y	son of Merrill & Agness Plummer	3		151617221	7
123	Day	Georgeanna				10	Aug	1847	1y 2m	dau. of George W. and Sarah F. Day	3		151645800	1.17

Seq	Last	First/Maiden	BD	BM	BY	DD	DM	DY	(y m d)	Notes	MH307	BHM	Find a Grave ID	y.yy
124	Squire	Emma Ann				24	Sep	1849	1y 4m 8d	dau of William P. & Abby Ann Squire	3		151647253	1.36
125	Brown	Hamilton J.				4	Dec	1852	1y 5m	Son of Enoch L. & Julia Ann Brown	3		116207231	1.42
126	Brown	Julia Ann [Mayo]				30	May	1858	38y 8m	2 names on a single headstone, Wives of Enoch L. Brown Find-a-Grave maiden [name] reference	3		116207168	38.67
126	Brown	Louisa H. [Wilbur]				22	Feb	1864	27y 7m 24d	2 names on a single headstone, Wives of Enoch L. Brown Find-a-Grave maiden [name] reference	3		116207196	27.65
127	Couillard	Rozilla Frances				22	Dec	1851	3y 10m	Daughter of Elijah and Lydia Couillard.	3		116207112	3.83
128	Fifield	Georgianna				29	Mar	1848	1y 3m 16d	dau. Edward B. & Mary Jane Fifield	3		151643723	1.29
129	Whitten	Charles B.				10	Dec	1852	1y 1m 20d	Son of Rev. Wm. W. and Abby S. Whitten. Sleep on sweet babe and take thy rest, God called thee home when he thought best.	3		116207256	1.14
130	Unknown									Fallen, broken & in need of repair				
131	Unknown									base only; headstone broken off				
132	Tripp	Henry				11	Aug	1851	39y 8m		3		151643740	39.67
133	Day, Jr.	George W.				27	Sep	1848	11m 17d	son of George W. and Sarah F. Day	5		218510272	0.96
134	Unknown					27	Jun		30y	This likely is a female based on the pronouns in the surviving inscription; i.e., "...in the morning of her day, When hope was bright she passed away"; "She shone"; "The Mother....and wife" "her prayers, her vows, her love"; Date looks like June 27, 185__				30
135	Lord	Harvy Dempsey					Feb	1848	1y 8m 18d	Harvy Dempsey son of Capt. Benj. and Hannah L. Lord, died Feb. 13 (or 18), 1848, AE. 1 yr 8 mos. 18 dy's.	3		268341153	1.72
136	Treworgy	William				14		1849		William son of Samuel and Harriet Treworgy	5		268343755	
137	Treworgy	Harriet S.				8	Aug	1854	31y 6m 9d	wife of Samuel L. Treworgy; Broken headstone reset into ground obscuring dates; Data from MH307, d. Aug. 8, 1854, 31y (?6m 9d)	3		151616765	31.52
138	Abbot	Hannah				14	Sep	1852	58y	Wife of Capt. Moses Abbott	3		109025582	58
139	McPhee	John				9	Aug	1853	9y 7m	son of Malcolm & Catherine McPhee	3		151643757	9.58
140	Treworgy	Luella Lois				23	Oct	1831	2y 5d	dau of Charles D. and Lois P. Treworgy	3		261479788	2.01
141	McKeen	James R.K.				15	Aug	1850	4m 20d	son of John & Mary McKeen	3		151617152	0.39
142	Griffin	Georgen Estell	18	Aug	1850	29	Oct	1851	1y 2m 11d	Daughter of George K. & Harriet Griffin	3		151617188	1.2
143	Griffin	John				1	Dec	1851	1y 5m	Son of Wm. S. and Rachel S. Griffin.	3		218509919	1.42
144	Webber	Harriet E.				7	Mar	1855	4y	dau of Wm. H. & Sarah A. Webber	3		151617103	4
145	Black	Susan E.				18	Aug	1857	28y 4m	Wife of A.B. Black	3		116207293	28.33
146	Webber	Harmon S.	13	Jun	1854	20	Aug	1854	2m 7d	infant son of Ezekiel & Almenia Webber	3		116207851	0.19
147	Dawes	Albert				19	Sep	1851	14y 3m	2 names on a single headstone, Ursula & Albert daughter of & son of Jona. & Susan Dawes Thy's star by star decline Till all are passed away.	3		151645962	14.25
147	Dawes	Ursula				11	Oct	1851	16y	2 names on a single headstone, Ursula & Albert daughter of & son of Jona. & Susan Dawes Thy's star by star decline Till all are passed away.	3		151645943	16
148	Hale	Clara M.				16	Aug	1830	14m	2 names on single headstone In memory of both Clara and James	3		116207367	1.17
148	Hale	James T.				15	Apr	1831	4y	2 names on single headstone In memory of both Clara and James	3		116207332	4
149	Unknown									broken top				
150	Hale	Josephine L.				17	Feb	1847	3y 8m 20d	Dau. Of John M. & Sarah L. Hale	3		151616888	3.72
151	Hale	Sarah Frances				2	Mar	1853	29y	Dau. Of John M. & Sarah L. Hale	3		151616862	29
152	Hale	Sarah Frances				23	Jul	1853	6m	2 names on single headstone; Mrs. Susan T., Wife of J.M. Hale, Jr., died July 23, 1853, Age: 29yrs., Sarah Frances, daughter of Susan T. & J.M. Hale, Jr., died July 23, 1853, Age: 6mos.	3		151616817	0.5

Seq	Last	First/Maiden	BD	BM	BY	DD	DM	DY	(y m d)	Notes	MH307	BHM	Find a Grave ID	y.yy
152	Hale	Susan T. [Phillips]				23	Jul	1853	29y	Find-a-Grave maiden [name] reference 2 names on single headstone; Mrs. Susan T., Wife of J.M. Hale, Jr., died July 23, 1853, Age: 29yrs., Sarah Frances, daughter of Susan T. & J.M. Hale, Jr., died July 23, 1853, Age: 6mos.	3		151616834	29
153	Williams	Mary [Hale]	6	Oct	1845	24	Dec	1913			3		109025091	68.22
154	Sargent	Everett				29	Oct	1855	1y 9m 8d	son of Oliver & Sarah Sargent	3		151644344	1.77
155	Fletcher, Jr.	William				9	May	1853	43y 4m		3		109028972	43
156	Chamberlain	Laura				18	Sep	1844	2y	Dau. of Chas. E.P. and Temperance Chamberlain.	3		116207917	2
157	Chamberlain	infant daughter				31	Jul	1849	1y 11d	Dau. of Chas. E.P. and Temperance Chamberlain.	3		116207955	1.03
158	Barker	Annie Lillian				18	Jan	1852	9m 28d	Daughter of Benj. & Sarah Barker	3		151644239	0.83
159	Barker	Ellen E.				25	Jan	1853	18y 7m	Daughter of Benj. & Sarah Barker	3		151616951	18.58
160	Crabtree	Caroline Ophelia [Barker]				7	Jul	1856	20y 2m 6d	Find-a-Grave maiden [name] reference wife of S.H. Crabtree	3		109028165	20.18
161	Barker	H Camilla				7	Mar	1861	13y 1.5m	Daughter of Benj. & Sarah Barker	3		116208003	13.13
162	Barker	Charles William				4	Aug	1863	19y 1m	Son of Benj. & Sarah Barker	3		109028739	19.08
163	Maddocks	Milton				2	Sep	1852	1m	Son of Samuel & Ph???, Age: 4wks	3		151646194	0.08
164	Gray	Francis W.				4	Apr	1853	4y	Son of Samuel F. & Clarinda C. Gray Sleep lovely child, In Jesus rest, Whose heavenly smiles, Shall make thee blest.	3		151616993	4
165	Gray	Alvin S.				4	Apr	1853	16m 26d	Son of Ezra P. & Matilda Gray Sleep lovely child, In Jesus rest, Whose heavenly smiles, Shall make thee blest.	3		151616978	1.4
	Buckley	Ann [Bryant]				7	Sep	1883	69y 6m	Find-a-Grave had no photo of headstone, but did have maiden [name] references; a new photo is needed.	6		201865243	69.5
	Crabtree	John Dyer					Dec	1881		Find-a-Grave had no photo of headstone	6		151642213	0
	Hathaway	Joshua W.	10	Nov	1797	6	Jun	1862		Data from MH307	4			
	Hathaway	Mary Anne	15	Dec	1800	20	Aug	1874		Data from MH307	4			
	Haynes	Warren S.				10	Oct	1854	5m 5d	Data from MH307, noting that this appears to be in error having been confused with Warren S. Royal	4			0.43
	Hollis	Samuel R.			1836	12	Oct	1895		Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed.	6		206360754	59
	Long	Sarah Eliza				11	Sep	1832	27y	Data from MH307; Sarah Eliza wife of Robert d. Sept 11, 1832 27y dau. Of John S. Little of Boston	4			27
	Redman	Francis				4	Sep	1850		Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed.	6		145560211	
	Rolfe	John B.				31	Jul	1840	2y	Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed. Data from MH307, John B. son of D.D. & Charlotte d. July 31, 1840, 2y	3		230557731	2
	Sawyer	Porter					Nov	1840		Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed.	6		151662601	
	Straw	Hiram F.								Find-a-Grave photo showing only the base of a broken headstone, and possibly a related foot stone	3		151642380	
	Tinker	John H.				23	Sep	1881		Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed.	6		203585427	
	Tinker	Mary Emeline [Everett]				18	Jun	1887		Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed.	6		203585179	
	Treworgy	Thelma				11	Feb	1849		Find-a-Grave had no photo of headstone, but does list dates; a new photo is needed.	4		151644950	
	Turner	Jane				5	Jun	1842	66y	Jane wife of James, d. June 5, 1842, 66y	4			

Transcription Column Heading Abbreviations & Codes

MH307 - Indicates cross checking with MOCA data circa 1980-1981 beginning on Page H 3-307

MH307, 3 - Indicates the headstone was present in both 1980-1981 & 2024 - See [Appendix A](#) shown as a green dot ●

MH307, 4 - Indicates the headstone was present in 1980-1981, but not present in 2024 - See [Appendix A](#) shown as a red square ■


MH307, 5 - Indicates the headstone was present in 2024, but not present in 1980-1981

MH307, 6 - Indicates the headstone was not present in 2024 nor in 1980-1981

BHM - Indicates Bangor Historical Magazine


BHM, 1 - Indicates Volume 3, Page 38

BHM, 2 - Indicates Volume 6, Page 262

A photograph showing a low wall border made of broken slate and concrete stones. The wall is situated in a cemetery, surrounded by green plants, moss, and fallen leaves. The stones are dark grey and light grey, and the surrounding area is covered in green foliage and brown leaves.

This photo shows the typical low wall borders surrounding the landscaping along the periphery of the Old Burial Ground. The material is, for the most part, broken bits of thick slate only interrupted with the occasional broken bits of concrete headstone foundations.

It's impossible to tell if these low wall borders are comprised exclusively of recycled bits from this cemetery, imported from another cemetery, or possibly some combination thereof.



Scattered fragments of broken headstones, footstones, and headstone foundation stones sporadically line the perimeter, or are heaped within the Old Burial Ground. Such loose features like the one shown below were not mapped, but the section of the headstone that's still largely intact shown to the right was mapped.

*Weep'st thou that talents and soft beauty's form
Lie low, and sleep beneath the silent clod ?
Grieve not ; be still ; in robes of white she's gone ;
The spirit's loosed , and glad returns to God.*

One reason for not locating this stone in particular is because it is broken, thick slate, and very much like what serves as the typical low border walls surrounding much of the perimeter landscaping, noting however that this is probably the largest chunk that we saw.

Appendix A - MOCA 1980 - 1981

H 3-307

#10

OLD BURYING GROUND
STATE ST., ELLSWORTH, ME.
BEHIND CONGREGATIONAL CHURCH

In the BANGOR HISTORICAL MAGAZINE V. 3, p. 38 (Aug. 1887) and V. 6, p. 262 (July 1890-June 1891) articles appeared entitled "Inscriptions from Gravestones in the Old Burying Ground at Ellsworth" and included this statement: "This ancient cemetery is fast going to decay. Many remains have been removed to the new cemetery. Some of the founders of the city lie there still." These lists did not include all the existing stones.

The following list was compiled during the summers of 1980 and 1981 from personal visits and was later checked against the lists in BANGOR HISTORICAL MAGAZINE. If the BHM lists showed variations, they will appear below in brackets []. Many stones are in bad condition, some partly buried, others flat on the ground, and certainly some have been moved from their original position, so related families are difficult to determine.

- ABBOT Charlotte wife of W. A. d. July 4, 1839 22y 6m
- ABBOT Hannah wife of Capt. Moses d. Sept. 14, 1852 58y
(next to Harriet S. TREWORGY)
- ABRAM William James d. Dec. 2, 1844 1y 8m 5d)
Mary Jane d. Apr. 2, 1846 18m) Chil. of John
William James 2nd d. Jan. 21, 1847 19m) & Elizabeth
- ADAMS Dr. Moses d. Dec. 11, 1839 63y
Mrs. Mary L. wife of Moses Esq. d. May 12, 1815 39y
- ALEXANDER Jane wife of Joseph d. May 17, 1837 38y
- BARKER Charles William son of Benjamin & Sarah S.
d. Aug. 4, 1863 19y 1m
H. Camilla dau. of Benjamin & Sarah d. Mar. 7, 1861
13y 1-1/2m
Ellen E. dau. of Benjamin & Sarah d. Jan. 25, 1853
18y 7m
Annie Lillian d. Jan. 18, 1852 9m 28d
- BLACK Mrs. Susan E. wife of A. B. d. Aug. 18, 1857 28y 4m
- BLAISDELL Abby M. dau. of Francis & Sarah A. d. May 14, 1852 4y 4m
- BLOOD Mrs. Rebecca D. wife of Edward P. d. June 3, 1848
38y 9m 14d
- BROWN George W. USN d. Jul. 30, 1873 28y 10m
Mary TENNEY wife of George W. Esq. d. Feb. 22, 1852 31y
- BROWN Hamilton J. son of Enoch L. & Julia Ann d. Dec. 4, 1852
1y 5m

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OLD BURYING GROUND ELLSWORTH CONT.

- BROWN Julia A. d. May 30, 1858 38y 3m) wives
Louisa H. d. Feb. 22, 1864 27y 7m 24d) of Enoch L.
- BUCKLEY Dennis d. Jan. 22, 1855 43y
Horace son of Dennis & Ann d. Apr. 8, 1866 19y 5m
(Next to Mary E. GRINDELL)
- CHAMBERLAIN John d. Dec. 13, 1839 59y
Mary wife of John d. Feb. 16, 1840 51y
Caroline dau. of John & Mary d. Nov. 18, 1860 29y
- CHAMBERLAIN Infant dau. of Charles (E. ?) & Temperance d. Jul. 31,
1849 1y 11d
Laura dau. of Charles (E. ?) & Temperance d. Sept. 18,
1844 2y
- COUILLARD Rozilla Frances dau. of Elijah & Lydia J. d. Dec. 22,
1851 3y 10m
Edwin Francis son of Elijah & Lydia J. d. Aug. 6, 1853
7m
- CRABTREE Annie A. wife of Dr. A. D. d. Oct. 4, 1861 26y
- CRABTREE C. Ophelia wife of S. H. d. Jul. 2, 1856 20y 2m 6d
- CRABTREE Gerlinda wife of John D. d. June 15, 1850 71y (or 41)
Sarah L. dau. of John D. & Gerlinda d. Sept. 9, 1847 2y
- DAWES Ursula d. Oct. 11, 1851 16y
Albert d. Sept. 19, 1851 14y 3m
daughter and son of Jonathan & Susan
- DAY Georgianna dau. of George H. & Sarah F. d. Aug. 10,
1847 1y 2m
- DOUGLASS Sarah E. dau. of John & Sarah d. May 19, 1855 17y 9m
- DRESSER George L. son of Benjamin L. d. Feb. 10, 1858 5y 4m 10d
- DUTTON Col. Jesse d. June 9, 1842 80y
Phebe wife of Col. Jesse d. July 27, 1837 69y
- EDWARDS Albion B. son of Asa & Nancy W. d. Sept. 14, 1852 2y 3m
Nicholas T. son of Asa & Mary W. d. July 16, 1834 10m 20d
(next to Mary YOUNG)

#10 OLD BURYING GROUND ELLSWORTH CONT.

- EDWARDS Nancy A. d. Sept. 21, 1854 11m) chil. of Asa
Asa W. d. Oct. 22, 1854 12m) and Nancy
- ELDRIDGE George B. son of Daniel T. and Sarah M. d. Apr. 4,
1842 2 y
- FIFIELD Georgianna dau. of Edward B. & Mary Jane d. Mar. 29,
1849 1y 9m 16d
- FISK James d. Apr. 30, 1826 59y

Rebecca wife of Mr. James C. b. Bradford, Mass.
d. in this town Sept. 14, 1824 41y
- FLETCHER William Jr. d. May 9, 1853 43y 4m
- FOLLETT Mrs. Pamela M. wife of Jefferson B. d. Dec. 26,
18 ?
- FRAZIER Obara Jane dau. of Isaac & Eliza Ann d. Mar. 22,
1842 6y
Joseph H. son of Isaac & Eliza Ann d. Feb. 21, 1842
3y 8m
- GLIDDEN Frederick T. son of A. M. & M. J. d. Oct. 21, 1850
20m
- GRAY Alvin S. son of Ezra P. & Matilda d. Apr. 1, 1853
1y 23d
Francis W. son of Samuel F. & Clarinda C. d. Apr. 4,
1853 4y
- GRIFFIN Georgen Estelle dau. of George K. & Harriet
Aug. 18, 1850-Oct. 29, 1851 1y 2m 11d
John H. son of William S. & Rachel S. d. Dec. 1,
1851 1y 5m
- GRINDELL Mary E. wife of I. M. d. Apr. 6, 1863 24y 4m
- HAINES Susan wife of Thomas d. Feb. 28, 1862 60y
- HALE James T. d. Apr. 15, 1831 4y
Clara M. d. Aug. 16, 1830 14m
Josephine L. dau. of John M. & Sarah L. d. Feb. 17,
1847 3y 8m 20d
Sarah Frances dau. of John M. & Sarah L. d. Mar. 2,
1853 29y
Mrs. Susan T. wife of J. M. Hale Jr. d. July 23,
185(?3 or 8 or 9) 29y
Sarah Frances dau. of Susan T. and J. M. Hale Jr.
d. Jul. 23, 185(?3 or 8 or 9) 6m
Mary Hale WILLIAMS Oct. 6, 1845-Dec. 24, 1913

#10 OLD BURYING GROUND ELLSWORTH CONT.

- HAMILTON Robert d. Sept. 22, 1847
- HATHAWAY Joshua W. Nov. 10, 1797-June 6, 1862
Mary Anne his wife Dec. 15, 1800-Aug. 20, 1874
- HAYNES Warren S. son of John & Mary d. Oct. 10, 1854 5m 5d
- HERBERT George, Esq. Aug. 16, 1778-Jan. 3, 1820
Charlotte his wife 1782-1869
William son of George & Charlotte (dates buried)
George Dec. 1, 1809-Oct. 17, 1812) sons of George
George Jan. 10, 1813-Oct. 8, 1816) & Charlotte
- HODGES Mrs. Eleanor d. Oct. 30, 1842 75y 7m
[Eleanor same as above and Reliance same dates and age]
- HOVEY Mrs. Mercy wife of Capt. Samuel d. Aug. 11, 1849 90y
- JELLISON Jesse L. Aug. 18, 1799-Feb. 20, 1839
Elizabeth J. wife of Jesse [S.] d. Sept. 5, 1846 44y
[d. Dec. 15, 1850 41y]
- JELLISON Ruth A. wife of Joseph d. Jul. 12, 1847 5 (?2) y
- JELLISON MAJOR JOHN d. Feb. 23, 1850 89y 1m 10d
Elizabeth wife of Major John d. Feb. 2(3 or 5), 18 ?
(stone broken) 69y 2m 15d [d. Feb. 25, 1830]
- JORDAN Benjamin d. Jul. 21, 1860 79y
- JORDAN Melatiah, Esq. - Collector of Customs for the District
of Frenchman's Bay - d. Dec. 22, 1818 64y
Mrs. Elizabeth relict of the late Melatiah d. Feb. 22,
1819 62y
- JOY In memory of Isaac Green son of Benjamin & Abigail
d. March 12, 1832 (rest buried)
- LEACH Mrs. Alice relict of the late Philip of Vassalboro
born Exeter, N.H. died Ellsworth May 29, 1840 74y
- LONG Sarah Eliza wife of Robert d. Sept. 11, 1832 27y
dau. of John S. Little of Boston
- LORD Abigail R. wife of Capt. Elias d. May 20, 1839
[1830 36y]
- LORD Alma B. wife of Capt. Edwin dau. of D. T. & R. B.
Hinckley late of Oxford, N.H. d. Jan. 6, 1845 27y
Arthur -(rest buried) Footstones ABL and AEL
(Next to these EL - headstone almost disintegrated)
[Capt. Edwin Lord July 25, 1818-Feb. 24, 1850]

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#10

OLD BURYING GROUND ELLSWORTH CONT.

- LORD Capt. Charles d. Jul. 22, 1850 29y
- LORD Harry Dem ? s/o Capt. ? & Hannah L.
d. Feb. 13, 184 (?) 1y 8m 18d
- MC KEEN James R. K. son of John E. & Mary A. d. Aug. 15, 1850
11m 20d
- MC PHEE John son of Malcom & Catharine d. Aug. 9, 1853 9y 7m
- MADDOCKS Benjamin D. d. Apr. 6, 1860 68y
Sally D d. Jan. 26, 1846 44y
Hannah & Mary A. daughters of Benjamin & Sallie
- MADDOCKS Milton son of Lemuel & Philena d. Sept. 2, 1852 4 wks
- MEANS Harriet A. daughter of Mathew & Lydia d. July 10,
1845 26y
Lydia wife of Capt. Mathew d. Jul. 22, 184 (?) 61y
Lydia C daughter of Mathew & Lydia d. Jan. 22, 1843 39y
Mrs. Asenath M. wife of Rev. Wilson C. RIDER d. Nov. 24,
1838 28y
Frederic A. only child of Frederic S. & Caroline
d. Nov. 13, 1850 9m
Also a footstone SEL & CL
Another headstone unreadable - possibly Clara ?
wife of Billings - footstone CPB
- MILLIKEN Joseph d. Jan. 26, 1850 84y
- MILLIKEN Napoleon B son of (?) Jno & Sarah d. Jul. 19, 1836
2y 11m
- MOORE "A filial tribute to the memory of Caroline wife of
Henry N. Moore" d. Jan. [July] 11, 1834 32y
- MORGAN Francis B. d. Sept. 4, 1850
Serena wife of Francis b. July 11, 1815 d. (date buried)
- MURCH Elmenia T. wife of Capt. John L. Murch d. Oct. 26, 1859
25y 5m 24d
- NOURSE Rev. Peter "First settled minister" d. Mar. 25, 1840
65y
Mrs. Mary d. Nov. 25, 1837 62y
- OBEAR Lewis son of Nicholas of Sedgwick d. Jul. 29, 1830 22y
- ORCUTT Thomas J. d. Jan. 30, 1854 30y 3m
William B. son of Thomas J. & Sarah d. June 3, 1854
2y 3m
John B. son of Thomas & Sarah d. Aug. 11, 1848 1y 5m 3d

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#10

OLD BURYING GROUND ELLSWORTH CONT.

- OSGOOD Elmira H. wife of Joseph W. d. Aug. 12, 1852 32y 4m
Ann L. daughter of ? & Nancy H. d. July 21, 1855
- PACKARD James ? son of (Miles?) E. and (Eunice?) d. July 2,
1850
Leah A. daughter of ? d. ? 1850 3y
- PERRY Agnes Mary daughter of Parker W. & ? venia D. d. Mar. 8,
1857 8m 2d
- PLUMMER George H. son of Merrill & Agness d. Sept. 6, 1850 7y
- PROVOSE Abby S. wife of Henry d. June 17, 1848 23y
- REYNOLDS Izenia D. daughter of (?) M. C. & A. D. d. Oct. 15,
1852 3y 10m
- RIDER Mrs. Asenath - see MEANS
- ROBINSON Thomas d. July ? 1858 57y
Eliza Ann wife of Thomas June 27, 1809-Sept. 13, 1849
Frances A. daughter of Thomas & Eliza d. Mar. 1864 23y
- ROLFE John B. son of D. D. & Charlotte d. July 31, 1840 2y
- ROSS Donald d. Nov. 23, 1804 45y
- ROYAL Warren S. son of John & Mary d. Oct. 10, 1851 5y 15d
- SARGENT Everett son of Oliver & Sarah d. Oct. 29, 1855 1y 9m 9d
- SAWYER Mrs. Abigail wife of Mr. Porter d. May 31, 1829 60y
John B. d. Oct. 21, 1833 23y
- SHEAFE Charles H. son of William & Lucy A. d. Dec. 19, 18? 8
(may be 4 or 1) 4m
- SIMPSON Jane wife of John d. June 26, 1851 54y 4m
- SQUIRE Emma Ann daughter of William P. & Abby Ann d. Sept. 24,
1849 1y 4m 8d
- STRAW Waltha wife of Jacob d. Aug. 23, 1853 (age buried)
Lester E. son of Jacob & Waltha d. May 4, 1848 20y
Chester T. son of ? (date and age buried)
Hiram F. (stone broken and unreadable)
- TENNEY Mary - see BROWN
- THURBER Capt. Benjamin d. Aug. 24, 1848 69y 11m
Mary his wife d. Mar. 18, 1851 63y 7m

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OLD BURYING GROUND ELLSWORTH CONT.

- THURSTON Abba daughter of James & Hannah d. ____ ? (rest buried)
- TINKER John Jr. d. Apr. 9, 1823 42y
- TORREY George A. son of Stephen & Mary P. d. Nov. 7, 1851 6m 3d
- TREWORGY Luella Lois daughter of Charles D. & Lois d. Oct. 23, 1851 2y 5d
- TREWORGY Harriet S. wife of Samuel d. Aug. 8, 1854 31y (?6m 9d)
?h ? ama daughter of Samuel & Harriet d. Feb. 11, 1849
? m 12d
- TRIPP Henry d. Aug. 11, 18 ? 1 (may be 5) 39y 8m
- TURNER Jane wife of James d. June 5, 1842 66y
- TYLER Elizabeth A. daughter of Mr. Joseph & Mrs. Elizabeth
d. Aug. 7, 1807 4y 6m 19d
[_____ daughter of Moses & Elizabeth 1y 6m 19d]
- WEBBER Harmon S. infant son of Ezekiel & Almenia b. June 13
and d. Aug. 30, 1854
Harriet E. daughter of William H. & Sarah A. d. Mar. 7, 1855 4y
- WHITING Catharine W. S. wife of Samuel K. d. Sept. 19, 1847
22y 9m 16d
Thomas Jefferson son of ____ ?
- WHITTEN Charles B. son of Rev. William W. & Abby S. d. Dec. 10, 1852 1y 4m 26d
- WILLIAMS Mary - see HALE
- WOOSTER Oscar M. son of Daniel & Louisa d. Apr. 10, 1849 14m 8d
Helen A. daughter of Daniel & Louisa d. Aug. 25, 1846
2y 11m 10d
Watson W. son of Daniel & Louisa C. d. Oct. 22, 1851
17m
George S. son of Daniel & Louisa C. d. Nov. 17, 1854
2y 11m 21d
- YOUNG Mary wife of Elkany d. Apr. 2, 1851 65y



Appendix B - Acts & Resolves of the Commonwealth 1799, Chapter 56

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ACTS, 1799. — CHAPTER 56.

Direction re-
specting uncol-
lected taxes, &c.

SECT. 3. *Be it further Enacted*, That all taxes legally assessed on the polls and estates of the Inhabitants of the said Second Parish, and now uncollected, shall be paid to the Treasurer of the said second parish, and with all other monies now in the Treasury, and all other property now belonging to said second Parish, shall be divided between the said Second and Fourth parishes, according to the sum they severally paid in the last State Tax.

Parish privi-
leges.

SECT. 4. *Be it further Enacted*, That the said fourth Parish is hereby vested with all the powers, privileges, rights and immunities with which other Parishes in this Commonwealth are invested.

First meeting.

SECT. 5. *And be it further Enacted*, That Justin Ely, esqr. be, and he is hereby empowered to issue his Warrant, directed to some suitable Inhabitant of said Fourth Parish, requiring him to notify and warn the Inhabitants of said Parish, to meet at such time and place in said parish, as shall be appointed in said Warrant, and then and there to choose such Officers, as may be necessary to manage the affairs of said Parish. And the Inhabitants qualified by Law to vote at said Meeting, being so assembled, shall be, and hereby are empowered to choose such Officers accordingly.

Approved February 26, 1800.

1799. — Chapter 56.

[January Session, ch. 23.]

AN ACT TO INCORPORATE THE PLANTATION NUMBER SEVEN, LYING ON BOTH SIDES OF UNION RIVER, IN THE COUNTY OF HANCOCK, INTO A TOWN BY THE NAME OF ELLSWORTH.

Boundaries.

SECT. 1ST. *Be it enacted, by the Senate & House of Representatives in General Court Assembled & by the Authority of the same*, that the Plantation numbered Seven, lying on both sides Union River, as described in the following boundaries, vizt. beginning at Union River, at the North Easterly corner of township number Six, & bounded thereby; thence running north, sixty degrees West, six miles, to a corner; thence running North eighteen degrees West, five miles & one quarter to a corner, being on the line of Township Number two incorporated the present Session by the name of Orland; thence Easterly on township number Eight, nine miles to a corner; thence South by number Fourteen & number Eight in the Lottery Townships, nine miles to the North line of Trenton;

ACTS, 1799. — CHAPTER 57.

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thence West by said Trenton line two miles to Union River; thence up said River & bounding thereon, one mile & three quarters to the place of beginning; together with the inhabitants thereon, be & hereby is incorporated into a Town by the name of Ellsworth; & the said Town is hereby vested with all the powers, privileges & immunities which other Towns do or may enjoy by the Constitution & Laws of this Commonwealth; provided that the inhabitants of said Plantation shall be holden to pay to the town of Trenton their proportion of all Taxes voted by said Town of Trenton, together with all State & County Taxes apportioned on the said Town of Trenton, before the passing of this Act.

Corporate
name.

Provision re-
specting taxes.

SECT. 2D. *Be it further Enacted*, that Theodore Jones, Esquire, be & hereby is empowered to issue his Warrant directed to some suitable Inhabitant of said Town, requiring him to warn the Inhabitants thereof to meet at such time & place as he shall therein appoint, to choose all such Officers as Towns are by Law required to choose in the month of March, or April, annually.

First meeting.

Approved February 26, 1800.

1799. — Chapter 57.

[January Session, ch. 24.]

AN ACT GIVING A REMEDY IN LAW, AGAINST THE EXECUTORS AND ADMINISTRATORS OF DECEASED DEBTORS IN JOINT CONTRACTS.

Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the goods and estate of each deceased Debtor, in every joint Contract hereafter to be made, whether Obligation, Covenant or other Instrument under seal, promissory note, Memorandum in writing, or any other Contract express or implied, or in any Judgment on any Contract hereafter to be made, shall be liable in the hands of his Executors and Administrators for the payment thereof in like manner, and the Creditor shall have the same remedy, and may have and maintain an Action in Law, against such Executors and Administrators, in the same manner as if such Contract had been joint and several.

Approved February 26, 1800.

Appendix C - Maine Private and Special Laws 1869, Chapter 29

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

Chapter 28.

CHAP. 28.

An act to authorize Freeman S. Doyle to construct a fish weir in Indian river, in the town of Jonesport.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Freeman S. Doyle shall have the privilege, and is hereby authorized to erect and maintain a fish weir in the tide waters of Indian river, in front of his own land, in the town of Jonesport; *provided* that such fish weir shall be erected within the limits of an extension of the side lines of his land, and that such weir shall not be so constructed as to obstruct the navigation of Indian river, or to interfere with the rights of riparian owners.

Erection of fish weirs, authorized.

Proviso.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1869.

Chapter 29.

An act to incorporate the town of Ellsworth into a city.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The inhabitants of the town of Ellsworth, in the county of Hancock, shall continue to be a body politic and corporate by the name of the city of Ellsworth; and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and be subject to all the duties and obligations now appertaining to or incumbent upon the inhabitants or selectmen thereof; and may ordain and publish such acts, laws and regulations, not inconsistent with the constitution and laws of this state, as shall be needful to the good order of said body politic; and impose fines and penalties for the breach thereof, not exceeding twenty dollars, for any one offence, which may be recovered to the use of said city, by action of debt, or on complaint before the police court of said city.

Corporate name.

Rights, powers and privileges.

May ordain laws and regulations, &c.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate, to be styled the mayor, and one council consisting of one from each ward, to be denominated the board of aldermen, and one council consisting of three from each ward, to be denominated the common council, all of whom shall be

Municipal affairs vested in mayor, aldermen and common council.

CHAP. 29.

Proviso.

Authority of officers or agents to borrow money, limited.

Mayor to be chief executive magistrate.

Duty of mayor.

May call special meetings of aldermen and common council.

Communications and recommendations of, to them.

Shall preside in board of aldermen, &c.

Salary.

Shall not receive other compensation.

Proviso.

Common council and aldermen not to receive compensation.

Powers vested in mayor and aldermen.

City marshal, powers and duties of.

inhabitants of said city, which boards shall constitute and be called the city council, all of whom shall be sworn to the faithful performance of all the duties of their respective offices; *provided* the city council shall not vote, assess or appropriate any money for any object or purpose for which the town of Ellsworth is not authorized to vote, assess or appropriate money, except for such purposes as are authorized by this act; *and provided further*, that neither the city council, nor any agent or officer of the city, shall borrow or hire any money for or on account of the city, or inhabitants thereof, except for the purposes for which the town of Ellsworth is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders given by the city council or any officer or agent thereof, for money or property obtained for any other purposes, shall be void.

SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws and regulations of the city to be executed and enforced, to exercise a general supervision over the conduct of all subordinate officers, and to cause their violations or neglect of duty to be punished. He may call special meetings of the board of aldermen and common council, or either of them, when in his opinion the interests of the city require it, by a notice in one or more of the papers printed in the city, or by causing a summons or notification to be given in hand or left at the usual dwelling place of each member of the board or boards to be convened. He shall from time to time communicate to both of them such information and recommend such measures as the business and interests of the city may in his opinion require. He shall preside in the board of aldermen and in the joint meetings of the two boards, but shall have only a casting vote. The salary and compensation of the mayor shall be one hundred and fifty dollars per year, which shall not be increased or diminished during his continuance in office, unless by the vote of the qualified electors in ward meetings called for the purpose. Nor shall he receive from the city any other compensation for any service by him rendered in any other capacity or agency; *provided, however*, the city council may elect the mayor to any city office, and allow him a reasonable compensation for such services; but the aldermen and common councilmen shall receive no compensation for their services as such.

SECT. 4. The executive powers of said city generally, and the administration of police with all the powers of the selectmen of the town of Ellsworth, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; and the mayor and aldermen shall appoint a city marshal, who shall have

CHAP. 29.

all the powers and exercise all the duties that now appertain to constables of towns, and who shall be chief of the city police, and as such may enforce such ordinances and regulations under the direction of the mayor as may be adopted by the city council for the government of the city. All other powers now vested in the inhabitants of said town, and all powers granted by this act shall be vested in the mayor and aldermen, and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other; but all other elections of officers by the city council, shall be by joint ballot of the two boards in convention. The city council shall annually, on the last Monday of March, or as soon thereafter as conveniently may be, elect and appoint all the subordinate officers and agents for the city, for the ensuing year, including a chief engineer and other engineers for the fire department, which chief engineer, or in his absence, any two other engineers, shall have all the power and authority that fire wards now have; shall define their duties and fix their compensation, in cases where such duties and compensation shall not be defined and fixed by the laws of this state; and may by concurrent vote remove officers, when in their opinion sufficient cause for removal exists. All officers shall be chosen and vacancies supplied for the current year, except as hereinafter otherwise directed. All the said subordinate officers and agents shall hold their offices during the ensuing year, and until others shall be elected and qualified in their stead, unless sooner removed by the city council. All moneys received and collected for and on account of the city, by any agent or officer thereof, shall forthwith be paid into the city treasury. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability, by requiring bonds with sufficient penalty and sureties from all persons trusted with the receipt, custody, or disbursement of money; shall have the care and superintendence of city buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold; and to purchase and take in the name of the city such real or personal property, not exceeding the sum of fifteen thousand dollars, including the property now owned by the town, as they may think useful to public interest. And the city council shall as often as once a year, cause to be published, for the information of the inhabitants, a particular account of receipts and expenditures, and a schedule of the city property; and no money shall be paid from the treasury unless the same be appropriated by the city council, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same was drawn.

Mayor, aldermen and common council, powers of.

Certain officers to be elected by joint ballot.

Election or appointment of subordinate officers, their duties and compensation.

May be removed for cause.

Term of office.

All moneys collected on account of city to be paid into city treasury. Payment of money from treasury, &c.

City building and property, custody and management of.

To publish annually an account of receipts and expenditures and schedule of city property. Mayor to sign warrants upon treasury for payment of money.

CHAP. 29.

Every law, &c., appropriating money to be signed by the mayor.
Proceedings in case of disapproval.

Assessors, their duties, powers and liabilities.

Proviso.

Taxes, assessment and collection of.

Proviso.

Streets, power of city council to lay out, &c.

Persons aggrieved, remedy of.

Co. commissioners authorized to lay out roads within the city.

Portions of streets reserved as sidewalks.

SECT. 5. Every law, act, ordinance or bill appropriating money having passed both branches of the city council, shall be presented to the mayor of the city, and if he approve the same he shall sign it, if not, he shall return it in seven days, with his objections, to that branch of the city council in which it originated, which branch shall enter the objections at large on its journals, and proceed to reconsider said law, act, ordinance or bill. If upon such reconsideration a majority of the whole number of that branch shall agree to pass it, it shall be sent, together with the objections, to the other branch, by which it shall be reconsidered, and if approved by a majority of the whole number of that branch, it shall have the same effect as if signed by the mayor.

SECT. 6. The city assessors, who shall be annually appointed by the city council, shall execute and be subject to the same powers, duties and liabilities that the assessors in the several towns in this state may exercise, and be subject to, under existing laws; *provided, however*, that the city council may appoint one person in each ward, whose duty it shall be to furnish the assessors with all necessary information relative to persons and property taxable in his ward, and who shall be sworn to the faithful performance of his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state relative to town taxes; *provided, however*, that it shall and may be lawful for the city council to establish further and additional provisions for the collection thereof.

SECT. 7. The city council shall have exclusive authority and power to lay out any new street or public way, or widen or otherwise alter or discontinue any street or public way in said city, and to estimate the damages any person may sustain thereby, and shall in all other respects be governed by and subject to the same rules and restrictions as are by law provided in this state for regulating and laying out of public highways and repairing streets. And any person aggrieved by the decision or judgment of said city council may, so far as relates to damages, have them assessed by a committee or jury, as now by law provided; and the county commissioners for Hancock county shall have power to lay out within said city any part of any new county road that shall by them be laid out in any adjoining town or towns, and shall pass thence into or through said city, according to the provisions of the law; and any highway or town way, or bridge, which has been, or may hereafter be located within said town or city, between high and low water mark, shall nevertheless be deemed to be legally located and established.

SECT. 8. It shall be lawful for the city council, by a committee by them appointed, or by instructions to the commissioner of streets, to appropriate, set off and reserve as sidewalks, such part

CHAP. 29.

Stones, &c., may be placed along the edge of sidewalks.

Liability of city for damages for injury.

City council may authorize persons to place materials in any street for certain purposes.

Proviso.

Not liable for damages occasioned thereby.

City council authorized to make regulations for sale of wood, &c., and affix penalties for violation thereof.

May appoint harbor master, and fix duties, &c.

Laws and regulations now in force to remain, &c.

or portions of the several streets in said city now or hereafter to be established as to said city council may appear necessary for the safety, convenience and accommodation of foot passengers. It shall be lawful for the city council to permit or direct posts of wood or stone, or trees to be placed along the edge of said sidewalk, next to the travelled part of the street, in such number and manner as they may deem necessary to protect said sidewalks, and the persons travelling thereon, from damage or inconvenience from teams or carriages. So much of the several streets in said city as shall be appropriated and reserved as sidewalks, agreeable to the provisions of this act, shall be taken and deemed to be reserved exclusively for the accommodation, convenience and use of persons travelling on foot, and said city shall not be liable for damages for any injury done or occasioned in consequence of any cart, carriage, wagon, truck or other vehicle, or any team or animal striking against any of said sidewalks, or the posts or trees set or placed to defend the same. The several sidewalks on the streets in said city, as at present established and used, shall be taken and deemed to be the proper and lawful reservation for that purpose, until altered or otherwise established by the proper authority.

SECT. 9. The city council shall have power on such terms and conditions as they may think proper, to authorize and empower any person or corporation to place in any street, for such time as may be necessary, any materials for making or repairing any street, sidewalk, cross-walk, bridge, water-course or drain, or for erecting, repairing or finishing any building or fences; *provided*, that not more than one-third of the width of the street shall be so occupied; and such material so placed by virtue of any license obtained as aforesaid, shall not be considered an encumbrance or nuisance in such street, and the city or person or corporation so placing the same shall not be liable for any damages occasioned by such materials.

SECT. 10. The city council shall have authority to establish and make regulations for the measurement and sale of wood and bark in said city, whether brought by land or water, and may affix suitable penalties for the violation thereof, anything in the public laws of the state to the contrary notwithstanding; and shall also have authority to make all needful regulations in relation to the harbor; may appoint a harbor master, prescribe his duties, and fix his compensation.

SECT. 11. All the laws and regulations now in force in said town of Ellsworth shall, notwithstanding this act, be and remain in force until they expire by their own limitations, or be revised or repealed by the city council, and the prosecutions and suits may be commenced and proceeded thereon in the name of the

CHAP. 29.

city, by officers or other persons thereby empowered or directed to prosecute and sue, and the fines and penalties shall go to the uses in such laws or regulations named according to law.

Municipal court established to be known as police court.

Jurisdiction, &c.

SECT. 12. A municipal court shall be and hereby is established in and for the city, to be denominated the police court of the city of Ellsworth, to consist of one judge, who shall be appointed and commissioned in the manner provided by the constitution, who shall have concurrent jurisdiction with trial justices, in all matters civil and criminal, under twenty dollars, within the county of Hancock, and original and exclusive jurisdiction in all civil actions in which both parties interested, or in which the party, plaintiff, or the person or persons summoned as trustees shall be inhabitants of, or residents of said city of Ellsworth, excepting all actions in which said judge may be interested; and said court shall also have concurrent jurisdiction with trial justices in all cases of forcible entry and detainer arising in said county, and original and exclusive jurisdiction in all such cases arising in the city, and shall also have original and exclusive jurisdiction of all violations of the by-laws of said city; and any person aggrieved by any judgment awarded by said court may appeal therefrom, in like manner as if the same had been awarded by any trial justice.

Court records, how kept, &c.

SECT. 13. It shall be the duty of said court to make and keep its own records, which records shall be such as would be legal records in a court of trial justice; and copies of the records of said court, duly certified, shall be evidence in the other courts of the state. Said court shall be holden on the first and third Saturday of each month, at nine of the clock in the forenoon, at such place as the city shall provide for the purpose, for the transaction of civil business; and all civil processes shall be made returnable accordingly, and the fees in all cases, civil and criminal, shall be the same as are now taxable by trial justices; *provided*, that the price of blank writs signed by said judge, shall be two cents and no more, and all fines, penalties and costs, which may be awarded by said court, in the administration of its criminal jurisdiction, shall be accounted for, and paid over by said judge in the same manner as if the same had been awarded by the sentence of a trial justice; and said judge shall once in three months render an account to the treasurer of said city, of all sums of money by him received as fees of office, or for copies of papers, and shall be held to pay such sums into said treasury.

Court shall be holden on certain days, &c.

Proviso.

Fees, when and how accounted for.

Disability of judge to attend, court to stand adjourned.

SECT. 14. In case of death or sickness or disability of the said judge, to attend at the time and place as provided in the preceding section for the transaction of civil business, the said court shall stand adjourned until the next term of said court, and so from term to term, without costs to either party, until the judge is able to attend; and in case of disability as aforesaid, to per-

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form the other duties of his office, the criminal jurisdiction of said court shall devolve upon the trial justices for the county of Hancock, during the continuance of said disability, and until such proceedings are instituted, during the continuance of said disability, shall have received the final adjudication of said justices.

SECT. 15. The city of Ellsworth shall have the power, and it shall be its duty, to raise money to provide a suitable room in which to hold said court, and to furnish the same in an appropriate manner. The judge of said police court shall receive from the city of Ellsworth, in quarter yearly payments, an annual salary of such amount as the city council of said city shall vote and determine, which shall be in full of all fees and emoluments pertaining to said office, and be received by trial justices for all similar services. And the said judge shall not act as counsel or attorney in any case within the jurisdiction of said court, nor in any suit, matter or thing which may depend on, or have relation to any case, matter or thing depending or cognizable in said court.

City to provide suitable room in which to hold said court.

Judge's salary to be determined by city council and paid quarterly.

Judge shall not act as counsel in said court.

SECT. 16. All actions, suits, matter and things which may be pending before trial justices in the town of Ellsworth, and all writs, executions, warrants, recognizances and processes, returnable to said justices when this act takes effect, shall be returnable to them in like manner as if it had not taken effect; and said justices shall have full power and authority to grant execution and to carry into effect any judgment rendered by them, and to complete all processes commenced by or before them, in the same manner as they might have done had not this act been passed.

All actions, &c., pending before trial justices, returnable to them.

Their power, &c.

SECT. 17. For the purpose of holding elections, said city shall be divided into not less than three nor more than five wards, to contain as near as conveniently may be, an equal number of legal voters; and it shall be the duty of the city council, once in ten years, and not oftner than five years, to review, and if it be needful, to alter said wards, in such a manner as to preserve as nearly as may be an equal number of legal voters in each. In each of said wards there shall annually, on the last Monday of March, be chosen by ballot, a warden and clerk, who shall hold their offices for one year and until others shall have been chosen and qualified in their places. Said warden and clerk shall be sworn to the faithful performance of their respective duties, by any trial justice of said city, or by the person presiding in said ward meeting, or by the clerk of said wards; and a certificate of such oaths having been administered shall be entered by the clerk on the records of the wards. The warden shall preside at all ward meetings, with the power of moderators of town meetings; and if at any meeting the warden should not be present, the clerk of such ward shall call the meeting to order and preside until a warden pro tem. shall be

Wards.

Warden and clerk, to be sworn.

Warden to preside at ward meeting.

CHAP. 29.

Exception.

Clerk to record proceedings, &c.

List of legal voters, how and by whom prepared.

Mayor, how elected.

Elections of aldermen and common councilmen.

Tenure of office.

Annual election.

Ward clerk to notify certain officers of their election.

Proviso.

Elections at subsequent meetings, how determined.

chosen. If neither of them should be present, any legal voter in the ward may preside until a clerk pro tem. shall be chosen and qualified. The clerk shall record all the proceedings and certify the votes given, and deliver over to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. The inhabitants of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes. The list of the names of the legal voters in each ward shall be prepared by the assessors and board of aldermen, assisted by the wardens, in the same manner and under the same restrictions as are imposed by the laws of this state on the assessors and selectmen of towns; and all regular ward meetings shall be notified and called by the mayor and aldermen, in the manner prescribed by the laws of this state for notifying and calling town meetings by the selectmen of the several towns, excepting that ward meetings for the election of mayor after the second trial may be called within the time provided in such cases in this act.

SECT. 18. The mayor shall be elected from the citizens at large, by the inhabitants of the city, voting in their respective wards; one alderman and three common councilmen shall be elected by each ward, being residents in the wards where elected; all said officers shall be elected by ballot, by a majority of the votes given, and shall hold their offices one year from the first Monday in April, and until others shall be elected in their places.

SECT. 19. On the last Monday of March, annually, immediately after a warden and clerk shall have been elected and sworn, the qualified electors of each ward shall ballot for a mayor, one alderman and the common councilmen; all the votes given for the said several officers, respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given to each, to be written on the ward record at length. The ward clerk within twenty-four hours after such election, shall deliver to the persons elected aldermen and common councilmen, certificates of their election, and shall forthwith deliver to the city clerk a certified copy of record of such election; *provided, however*, that if the choice of aldermen and common councilmen cannot conveniently be effected on that day, the meeting may be adjourned from day to day to complete such election. If on the second balloting for any aldermen, common councilmen, warden or clerk, a choice shall not be effected by a majority vote, then the person receiving the highest number of votes for any of those offices at the subsequent trial shall be declared elected; if no one shall then have such highest number, the balloting shall be continued from day to day, until a choice is thus effected. The board of aldermen

CHAP. 29.

Aldermen to cause the mayor to be notified of his election.

In case of no choice of mayor at first meeting, other meetings to be held until a choice shall be made.

Vacancy in office of mayor, how filled.

Oath, by whom administered.

Oaths to aldermen and common councilmen, when, where and by whom administered.

City clerk to be clerk of the board of aldermen; his duties.

Required to give notice of ward meetings.

A president pro tem. may be chosen in absence of mayor.

Each board shall keep a record of its proceedings, &c.

A majority to constitute a quorum to transact business.

shall as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have been elected mayor, by a majority of votes given in all the wards, to be notified in writing of his election, but if it shall appear that no person shall have been elected, or if the person elected shall refuse to accept the office, the said board shall issue their warrant for another election; and in case the citizens shall fail on a second ballot to elect a mayor, the said board shall again issue their warrant for a third election, to be held not less than three nor more than four days thereafter; at which election the candidate having the greatest number of votes shall be declared elected, and notified as aforesaid; if no one shall then have such number, further election shall in the same manner be ordered, till a choice shall be made, by some one having the highest number of votes; and in case of a vacancy in the office of mayor, by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election, in the manner hereinbefore provided for the choice of said officer; and in the meantime the president *pro tempore* of the board of aldermen shall perform the duties of mayor. The oath prescribed by this act shall be administered to the mayor by the city clerk, or any justice of the peace in said city. The aldermen and common councilmen elect shall on the first Monday of April, at ten of the clock in the forenoon, meet in convention, when the oath required by the second section of this act shall be administered to the members of the two boards present, by the mayor or any justice of the peace, and thereupon the two boards shall separate, and the board of common council shall be organized by the election of a president and clerk.

SECT. 20. The city clerk shall be the clerk of the board of aldermen; he shall perform such duties as shall be prescribed by the board of aldermen or common council; and shall perform all duties, and exercise all the powers by law incumbent upon, or vested in the town clerk of the town of Ellsworth; he shall give notice in one or two of the papers printed in said city of the time and place of regular ward meetings; but the place of regular ward meetings, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen. The board of aldermen may, in the absence of the mayor, choose a president *pro tempore*, who shall preside at joint meetings of the two boards. Each board shall keep a record of its proceedings, and judge of the election of its own members; and in case of failure of election, or vacancy by death, resignation or otherwise, may order new elections. A quorum for the transaction of business, shall in each board consist of a majority of the members thereof; all meetings of the aldermen and common council, and all meetings

CHAP. 29.

Presiding officer,
powers of.
Votes, when to
be taken by
yeas and nays.

General meetings,
how and for what
purpose to be
called.

Proceedings.

Division of town
into wards, &c.

Proceedings for
establishing and
organizing city
government.

Transcript of
records of votes
in each ward to
be returned to
selectmen.

New warrant to
issue in case
elections shall not
be completed.

First meeting,
who may pre-
side at.

List of voters to
be used in each
ward.

City council in
convention to

of the two boards in convention, shall be open and public, and the presiding officer of each of them shall have the power of moderators of town meetings. At either of said meetings when any two members shall request it, the vote shall be taken by yeas and nays, which shall be recorded by the clerk.

SECT. 21. General meetings of the citizens, qualified to vote in city affairs, may, from time to time, be held to consult upon the public good, to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people by the constitution of this state; and such meetings may, and shall be duly warned by the mayor and aldermen upon the requisition of thirty qualified voters of said city.

SECT. 22. At the election as provided for in section twenty-four for the adoption or rejection of this act, there shall be a committee of five citizens chosen, whose duty it shall be to cause a division of said town to be made in five wards, in such manner as to include, as nearly as conveniently may be consistently with well defined limits to each ward, an equal number of voters in each ward.

SECT. 23. For the purpose of organizing the system of government hereby established, and putting the same in operation, in the first instance, the selectmen of the town for the time being, shall seasonably, before the second Monday of March, next after the acceptance of this charter, issue their warrants for calling meetings of the said citizens at such place and hour upon said day, as they shall think expedient, for the purpose of choosing a warden and clerk for each ward, and also give their votes for a mayor to be taken from the city at large, and one alderman and three common councilmen, and one constable from each ward; the transcript of the records of each ward specifying the votes given for mayor, one alderman and three common councilmen, and constable, certified by the warden and clerk of such ward, shall at first election, be returned to said selectmen of the town of Ellsworth, whose duty it shall be to examine and compare the same, and in case said elections shall not be completed at the first election, then to issue a new warrant until such election shall be completed according to the provisions of this act; and to give notice thereof in the manner hereinbefore directed, to the several persons elected. And at said first meeting, any inhabitant of said ward, being a legal voter, may call the citizens to order and preside until a warden shall have been chosen; and at said first meeting a list of voters in each ward, prepared and corrected by the selectmen of the town of Ellsworth, for the time being, shall be delivered to the clerk of each ward when elected, to be used as provided by law in town meetings; and it shall be the duty of the

CHAP. 30.

city council in convention, immediately after their first organization, to elect by ballot a city clerk and all other necessary city officers, who shall hold their offices respectively until others are chosen and qualified in their places.

SECT. 24. This act shall take effect and be in full force when the same shall have been accepted by the inhabitants of said town qualified to vote in town affairs, at a legal town meeting called for that purpose, at any time after this act shall be approved by the governor; *provided* it shall be accepted within five years from the passage of this act, but not more than one meeting for that purpose shall be called in the same year; and at such meeting the inhabitants of said town shall vote by a written ballot; those in favor of accepting this act having on the ballot the word "yes," and those opposed having on the ballot the word "no"; and if a majority of all the ballots received are in favor of accepting the same, it shall then become a law and take effect. And it shall be the duty of the clerk of said town to file a copy of the record of the vote of said town, accepting the same, with the clerk of the city of Ellsworth, when elected, who shall transcribe such copy into the records of the city, and such records shall be conclusive evidence that this act has been accepted.

SECT. 25. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed, from and after the time when this act shall have been accepted as aforesaid, and the new system of government organized, as herein provided.

Approved February 8, 1869.

Chapter 30.

An act authorizing the Kennebec Land and Lumber Company to construct and maintain booms in Kennebec river.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. That the Kennebec Land and Lumber Company, their associates, successors and assigns, be and they are hereby authorized and empowered to build, construct and maintain a boom, with piers and buoys for the holding and securing the logs, rafts and lumber of said company, from the south line of the mill lot of said company, in the town of Pittston, county of Kennebec, running northerly to the brook on the land of Washington Rawlins, in the town of Chelsea in said county.

SECT. 2. And for that purpose said Kennebec Land and Lumber Company may take such lands as shall be found necessary, paying the owner or owners a reasonable compensation therefor.

Corporate name.

Privileges.

May take land
for corporate
purposes.

Acts inconsis-
tent herewith,
repealed.

Proceedings at
meeting for
acceptance of
charter.

When to take
effect.

elect necessary
city officers.
Tenure of office.

Appendix D - Operative Instrument

Recorded at the Hancock County Registry of Deeds

Jordan to the Inhabitants of the Town of Ellsworth - 11 September 1818 - Book 38, Page 417

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expedient for the purpose of raising a permanent fund, the intent or
purpose of which fund, shall, at the direction of the trustees, be from time
to time applied to the support and maintenance of such learned and pious
organizational divine or divines as may officiate at said place and over
said Church and Society, or to the increasing of the permanent fund -
such divine or divines continuing to have the care of the entire School
in said town, and the superintendence of the other schools in said
town upon similar principles as the same divines are now performed
by the Reverend Peter Nurse aforesaid, provided always upon the stip
that the said town shall in such case contribute suitably from time to
time according to the opinion of the trustees, they taking all things into
consideration, towards such divines as relate particularly to the school
or schools and shall not in their opinion unreasonably obstruct the
rendering of such services to the youth as aforesaid.

And the said Melatiah Jordan do for myself, my heirs, executors
and administrators, covenant with the said Peter Nurse his heirs
executors, administrators and assigns, in their said capacity of trustees
as aforesaid, that at the time of the delivery hereof I am lawfully
seized in fee simple of the above bargained and granted premises; that
the same are free from all incumbrances; that I have good right, full
power and lawful authority to give, grant, bargain sell and convey
the same to the Reverend Peter Nurse aforesaid, to have and to hold
the same in manner and for the trust and purposes aforesaid, and
that I and my heirs will warrant and secure the same to him the
Reverend Peter Nurse aforesaid and his heirs and assigns for the
faithful execution of the trust aforesaid, against the lawful claims
and demands of all persons. In witness whereof I the said Melatiah
Jordan and Elizabeth Jordan, my wife, in token of release of her
right of dower in the above granted premises, have hereunto set our hands
and seals this eleventh day of September in the year of our Lord one thousand
eight hundred and eighteen.

Melatiah Jordan
Elizabeth Jordan

John Black, Henry Moore,
Hancock Co. Ellsworth 11th September A.D. 1818. Then personally
appeared Melatiah Jordan Esquire, & Elizabeth Jordan his wife,
and acknowledged the above instrument to be their free act and deed.

Before me, John Black Justice of the Peace.
Dec^r Nov. 20. 1818, Entered by

B. Hall, Reg^r

To all people to whom these presents shall come:
Whereas by the general usage and custom of mankind during
all periods of the world and more especially when in a civilized
and improved state, a decent regard to the burial of the dead requires

M. Jordan
to the
Jas. J. Ellsworth

that some suitable place of interment shall be set apart and dedicated to that pious use, which may be always under the care and protection of the living, to the end, that the ashes of the dead may be protected from violation, and that the living may be ever reminded thereby of the end of all flesh.

Now Therefore Know Ye, That I Melatiah Jordan of Ellsworth in the County of Hancock, and in the Commonwealth of Massachusetts, Esquire, in consideration of obtaining, for myself and my family as well as for the inhabitants of said town a buying place for the dead to remain forever consecrated to that use under the care and protection of the inhabitants of said town and their successors, as well also as in consideration of one dollar to me paid by Alfred Langdon, Treasurer of said town and in behalf of the said inhabitants, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell, convey and confirm unto the inhabitants of said town of Ellsworth and their successors forever, the following described tract or parcel of land, being a part of my heretofore tract of land in said Ellsworth, which tract or parcel of land is bounded and described as follows, to wit: beginning at a stake standing on the East line of the highway or road as laid out, leading from Union River Bridge in said Ellsworth, northerly by my dwelling house to the head of the falls, so called, in said Ellsworth, at the north west corner of a certain parcel of land I have conveyed by Deed bearing date with these presents, to the Reverend Peter Chase his heirs and assigns in trust as therein set forth, to be the foundation and site given for a house of public worship for the Church and Society now which he is settled in the ministry; and from the North west corner thereof a fence running Northerly along the East line of said road or highway, as the same is laid out, six rods and twelve links to a post, thence due East to the line between my said heretofore tract of land and the heretofore lot of Theodore Jones, Esquire, thence along the line between said lots South west till it strikes the Southeasternmost corner of the said parcel of land conveyed to the Reverend Peter Chase as aforesaid, at a stake, thence along the line of the same parcel of land due North to the Northeast corner thereof, thence along the line of the same due West to the place of beginning at said road or highway, with the privileges and appurtenances.

To have and to hold the same granted and devised premises to them the inhabitants of the town of Ellsworth aforesaid and their successors forever, to the use of the inhabitants of said town and their successors, forever as a public buying place as aforesaid for the dead forever, and to no other use or purposes whatsoever. And I the said Melatiah Jordan do for myself my heirs executors and administrators consent and engage to and with the said inhabitants of Ellsworth and their successors, that at the time of the delivery hereof, I am lawfully seized in fee simple of the

above granted premises, and that the same are free from all incumbrances - 419.
 us; that I have good right and full power and authority to give, grant
 bargain, sell, convey and confirm the same to the said inhabitants
 of Ellsworth and their successors, to have and to hold the same, in
 manner and for the use aforesaid: and that I and my heirs well
 warrant secure and defend the above granted premises to them the
 said inhabitants and their successors forever against the lawful
 claims of all persons. In witness whereof I the said Melatiah Jor-
 dan, and Elizabeth Jordan my wife in token of her release of her
 right of dower in the said granted premises, have hereunto set our
 hands and seals this eleventh day of September in the year of our
 Lord one thousand eight hundred and eighteen.

Signed, sealed, and delivered, in presence of Melatiah Jordan
 us John Black Henry Moore. } Elizabeth Jordan

At Harwick, Co. Ellsworth 13th October A.D. 1818. Then personally ap-
 peared Melatiah Jordan Esq. & Elizabeth Jordan his wife, and acknow-
 ledged the above instrument to be their free act and deed.

Before me, John Black Justice of the Peace.

Dec. 2^d Nov. 25. 1818. Testes by, J. H. Hall, Reg.

I know all men by these presents, that I Ebenezer Leach of Penobscot
 in County of Hancock and Commonwealth of Massachusetts, yeoman, of Wardwell
 in and in consideration of three hundred and twenty dollars, to me paid
 by Stephen Wardwell of Penobscot in County and Commonwealth of
 aforesaid, yeoman, the receipt whereof I do hereby acknowledge, have
 given, granted, bargain, sell and convey unto the said Stephen Ward-
 well his heirs and assigns forever, a certain tract or parcel of land
 lying in the town of Penobscot, and bounded as follows, viz. Beginning at
 a Poplar tree at the shore the bound of John Leach the second and Ebenezer
 Leach, thence to run back North thirty five degrees East two hundred &
 five rods to Black Ash tree, thence to run South fifty three degrees West
 to a stake and stone the East side of the creek, thence round the shore as
 said shore runs, that is, Southwesterly and South westerly to the first men-
 tioned bound, containing forty acres, with all the privileges and appur-
 tenances therunto belonging, except mill privileges and mills.

To have and to hold the same granted premises to him the said
 Stephen Wardwell his heirs and assigns, to his and their use and behoof
 forever. And I the said Ebenezer Leach do covenant with the said Ste-
 phen Wardwell his heirs and assigns, that I am lawfully seized in fee
 of the premises, and that they are free of all incumbrances, that I have
 a good right to sell and convey the same to the said Stephen Wardwell, and
 that I will warrant and defend the same to the said Stephen Wardwell his
 heirs and assigns forever, against the lawful claims and demands of all

SOURCES & ENDNOTES

- 1 Bangor Historical Magazine, Volume III, page 38
https://www.google.com/books/edition/The_Bangor_Historical_Magazine/ONE-AAAAAYAAI?hl=en
- 2 Bangor Historical Magazine, Volume VI, page 262
https://www.google.com/books/edition/The_Bangor_Historical_Magazine/yMsUAAAAAYAAI?hl=en
- 3 Maine Old Cemetery Association, Maine Cemetery Inscriptions, Hancock County, Special Pub. No. 10, Edition No. 1: Series 1, 2, and 3; Copyright 2006, Picton Press, International Standard Book Number 0-89725-769-3, Rockland, Maine; Compact Disk available at the Ellsworth Public Library, upstairs in the genealogical section.
- 4 The owner of the company, Lewis Bunker Rohrbach, apparently moved from Rockland, Maine to Naples, Florida sometime prior to his passing on 2 January 2016, reference <https://fasg.org/lewis-bunker-rohrbach/>
- 5 Honey, Mark E.. "The Old Burying Ground, State Street, Ellsworth, Maine, A Study of Community, Family, and Heritage", June 21, 2005, Ellsworth Public Library, Genealogy, 929.574145
- 6 Davis, A., "The History of Ellsworth, Maine", 1927, Lewiston Journal Printshop, Lewiston, Maine, page 67, <https://archive.org/details/historyofellsworth00davi/page/n9/mode/2up>. Albert Davis mentions "The loss of all town records previous to Feb. 5, 1850 by fire in the burning of the Thomas Robinson store renders it impossible to make a list of town officers prior to that time."
- 7 Springer, D., "The Great Fire of Ellsworth", 2008, Aardvark Global Publishing, Salt Lake City, Utah, in the chapter entitled Hancock Hall, Darlene Springer parenthetically mentions on page 39, the destroyed town records in 1860, in addition to those city records destroyed in the 7 May 1933 fire.

Plantation Number 7 lying on both sides of the Union River, in the County of Hancock, was incorporated as the Town of Ellsworth by the General Court of the Commonwealth of Massachusetts, 1799 Chapter 56, approved 26 February 1800, <https://archives.lib.state.ma.us/items/15df9df9-ad63-4dd1-a604-27f7b6c49a07> - see [Appendix B - Acts & Resolves of the Commonwealth 1799, Chapter 56](#)
- 8 The Town of Ellsworth was incorporated as the City of Ellsworth by the 48th Legislature of the State of Maine, Chapter 29, approved 8 February 1869 by Governor Joshua L. Chamberlain, and took effect after the town voted and approved it at a legal town meeting, http://ldc.mainelegislature.org/Open/Laws/1869/1869_PS_c029.pdf - see [Appendix C - Maine Private and Special Laws 1869, Chapter 29](#).
- 9 Due to the devastating fire of 1933, the official city clerk's records were destroyed, but the apparent effective date may possibly have been 27 February 1869 as given for the date of the last town meeting held in Lord's Hall; see Davis, A., "The History of Ellsworth, Maine", 1927, Lewiston Journal Printshop, Lewiston, Maine, page 103., Ibid.

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Map



